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– EDUCATION –

City schools celebrate Veterans Day

Cullman City Schools celebrated Veterans Day with a video shared across elementary schools, featuring patriotic traditions and interviews with students honoring local veterans. Veterans Day activities were also incorporated into the curriculum.

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CULLMAN CITY SCHOOLS

‘I wanted to tell this story’

Book signing features local author Johnny Burks



NICK GRIFFIN/THE CULLMAN TRIBUNE

Former Cullman teacher and coach Johnny Burks discusses his new book, “I Just Want You to Know My Name” at a book signing Tuesday night at Cullman City Hall.

Nick Griffin
nick@cullmantribune.com

CULLMAN, Ala. – The Friends of the Public Libraries of Cullman County (FPLCC) welcomed local author Johnny Burks to Cullman City Hall Tuesday night to discuss his newly-published memoir, “I Just Want You to Know My Name.” The book details much of Burks’ experience as a child growing up in foster care, as well as his relationship with his brother, his time playing sports at Hartselle High School and more. As November is National Adoption Month, the group said the timing couldn’t be better for Burks to share his story.

Dr. Tom Oliver, a personal friend of Burks’, introduced him before Burks shared his story and his inspiration for telling it.

“(Johnny’s) book is a story of survival and redemption. It is inspiring from beginning to end and it is particularly appropriate for National Adoption Month,” Oliver said. “This man is truly one of my heroes, and he has many heroes that have helped shape his life as well. He is a great son, a great husband, a great father, friend and teacher. I want you to know his name: Johnny Burks.”

Burks, a former teacher and coach at Cullman Middle and High School, began by talking about his initial inspiration to put his story down on paper. Burks’ father died of lung cancer in 1999, and he considers that event to be the beginning of his writing journey.

“I remember being there the night he died and holding his hand and watching him take his last breath. It kind of took a little life out of me when he was gone, and after that I just felt this urge that I wanted to tell this story,” Burks said. “It was very frustrating in the genesis of it, and my wife Alana was the rock that kind of held me together emotionally because once you start writing about your past, you have » PAGE 2

LOCAL GOVERNMENT

Colony council divided amid legal challenges to town clerk position



W.C. MANN/THE CULLMAN TRIBUNE

A packed house listens as Birmingham attorney Louis Willie reads a quote from the Alabama Code which, according to him, disqualifies Colony Town Clerk Patricia Ponder from holding office in the town.

» PAGE 3

– LOCAL GOVERNMENT –

TREE CITY

Cullman to pursue development of arboretum at Burrow property near new RV park



W.C. MANN/THE CULLMAN TRIBUNE

Mayor Woody Jacobs reads a resolution at Monday’s Cullman City Council meeting laying out his intent to pursue the development of an arboretum near the new Palomino RV park.

» PAGE 2

LOCAL GOVERNMENT

Vinemont council talks disc golf

» PAGE 2

2020 Lights of Love program to be virtual

» PAGE 2

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CRIME

Arrests and incidents reported Nov. 10

Cullman Tribune staff
Contributor

CULLMAN, Ala. – Below are the arrests and incidents reported Nov. 10, 2020. All persons are innocent until proven guilty.

GJ = grand jury; **FTA** = failure to appear

CULLMAN COUNTY SHERIFF'S OFFICE

No incidents or arrests reported.

CULLMAN POLICE DEPARTMENT

INCIDENTS

Nov. 9

• harassment; person

ARRESTS

Nov. 9

Cassiday, Natasha A., 34

• FTA- driving while suspended

Burney, Mary D., 51

• FTA- driving while suspended

Johnson, Heath K., 34

• FTA- possession of drug paraphernalia (2 counts)
• FTA- expired tag
• FTA- insurance violation

Ross, Brandon J., 27

• FTA- fourth-degree theft of property
• FTA- expired tag
• FTA- driving while suspended

Hill, Jason R., 40

• public intoxication

Bibb, Dequinn M., 28

• GJ- unlawful distribution of a controlled substance

Lindsey, Kevin C., 37

• carrying a pistol without a license
• second-degree unlawful possession of marijuana

HANCEVILLE POLICE DEPARTMENT

No incidents or arrests reported.

Find arrest reports online Monday-Friday at www.CullmanTribune.com.

Burks (from Front)

to start recalling some painful events."

Burks' memoir has been in the making for the better part of two decades. After beginning to work on the project following his father's death, then stepping away from the book for some time, he revisited it last year and is happy to be sharing his completed work now.

"I had bits of pieces of it typed and printed and I put it in a notebook, and it was just bits and pieces, but I had a floppy disk with all of it on there. But I couldn't find a computer with a floppy disk drive; they don't make them anymore," Burks laughed. "So, I finally found on the internet that they made an external USB I could plug in, so I did that and Voila! there it is. I clicked to look and see when the last time I'd saved the file on that disk and it was May 25, 2003. So, the book actually sat on that floppy disk for 16 years and I'm glad I was able finally get it out and get it out of my head. I'm hoping it'll be kind of like a therapy for me as I try to release some of these events that happened in my life."

"I Just Want You to Know My Name" will soon be available on Amazon, or you can get your copy via cash, check, PayPal or Venmo by emailing Burks at johnhenryburks@gmail.com.

Vinemont (from Front)

Christy Perry
christy@cullmantribune.com

VINEMONT, Ala. – The Vinemont Town Council on Tuesday evening continued its discussion on the disc golf course being built at the town's park. The course was approved previously by the council, which is working with a course designer to decide on placement of the baskets.

While no date of completion has been given for the project, course designer Jason LeCompte said he was "pleasantly surprised by how beautiful the space is," according to Councilman Chris Thompson, who added, "This is exciting.

"This is a new and growing sport that anybody can do. It's very popular.

"I plan to do add new trees and obstacles myself.

"It's going to be a great course."

The council also renewed its lease agreement with Vinemont Girl Scout Troop 10288.

The lease for the community center is for one year, with no charge to the troop, only a cleaning fee if the Town has to clean the building after the troop's use.

The Vinemont Town Council meets on the second Tuesday of each month at 6 p.m. at Vinemont Town Hall.

Program (from Front)

Cullman Tribune Staff
Contributor

CULLMAN, Ala. – This year's Cullman Regional Foundation Dr. Herman C. Ensor Lights of Love Christmas Tree Lighting Ceremony will be Thursday, Dec. 3 at 6 p.m.

The annual event is normally held on the Cullman Regional campus, but this year it will be virtual and live streamed on the Cullman Regional Foundation's Facebook page.

Giving a gift of love of $20, $40, $60 or more places a light on the Christmas tree at Cullman Regional as a tribute to someone special.

These tax-deductible gifts help support the Foundation's mission of advancing health care services at the medical center.

Special acknowledgement cards will be sent to those who are honored and to the families of those being remembered. If someone honors a specific health care hero at Cullman Regional, a notification will be sent.

All community members and contributors are invited to join the Foundation via Facebook for the tree lighting ceremony to view a presentation of the names of those being recognized this year.

The virtual program will also include special Christmas music by area artists.

Donations may be contributed throughout the entire holiday season; gifts received by Tuesday, Dec. 1 will be included in the special ceremony.

Contributions may be made in memory of or in honor of someone special.

To donate, go to www.cullmanregional.com/foundation/events or call the Foundation at 256-737-2565 for more information.

Development (from Front)

W.C. Mann
craig@cullmantribune.com

CULLMAN, Ala. – Mayor Woody Jacobs on Monday evening presented a proclamation stating his intention to pursue the development of an arboretum at the west Cullman Burrow property adjoining the city's new Palomino RV Resort along County Road 222.

Jacobs noted in his proclamation that "an arboretum is an outdoor living tree museum that serves many functions including educating the public on many tree species, providing protection for trees which promotes biological diversity, serving as a tool for scientific and educational studies related to trees, and providing beautiful, tranquil areas for people to enjoy," and that "the Cullman Tree Commission recently submitted a letter to the Mayor and City Council in support of the development of an arboretum at the Burrow property."

Staff from the Cullman County Extension Office recently reported to City officials that at least 20 tree species have been identified on the property, and they are currently seeking grants to cover the costs associated with planning and zoning for the property.

The proclamation further proclaims the advantage of the location, saying that "the proposed arboretum site is in close proximity to the new Palomino RV Resort and to I-65, which makes it an ideal location for visitors from all over the U.S. as well as our local families to get in touch with nature by exploring an arboretum's winding paths, lined with trees, plants and wildlife native to our area."

No timetable for development has been set.

COVID-19 BY THE NUMBERS

Tuesday, Nov. 10, 2020 COVID-19 update from the Alabama Department of Public Health's COVID-19 Data and Surveillance Dashboard

• Total confirmed cases in AL: 174,987 (+1,133 since yesterday)
• Probable cases in AL: 31,580 (+577 since yesterday)
• Total confirmed deaths in AL: 2,890 (+25 since yesterday)
• Probable deaths in AL: 230
• Total confirmed cases in Cullman Co.: 2,536 (+38 since yesterday)
• Probable cases in Cullman Co.: 792 (+44 since yesterday)
• Total confirmed deaths in Cullman Co.: 22 (+2 since yesterday)
• Probable deaths in Cullman Co.: 7
• Total tested in Cullman Co.: 21,973
• Total tested in the last 14 days in Cullman Co.: 2,124
• Cases in the last 14 days in Cullman Co.: 781
• Total tested in Alabama: 1,410,914*
• Cases in the last 14 days in Alabama: 20,624
• Total tested in the last 14 d • ays in Alabama: 99,770
• Currently hospitalized in Alabama: 1,206
• Cumulative no. of hospitalizations in Alabama: 21,886
• Presumed recoveries in Alabama (reported weekly): 84,471

See more details at https://bit.ly/2VjCQbP.

*Total from BamaTracker.com

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COMMUNITY CALENDAR

Submit your calendar items or public notices to wendy@cullmantribune.com

Alcoholics Anonymous Meetings
The Grace of God group of Alcoholics Anonymous has open AA meetings (all are welcome) Monday and Thursday nights from 7-8 p.m. at the Carriage House, located next to Grace Episcopal Church, 305 Arnold St. NE Cullman. Contact phone numbers: 256-347-1097, 256-841-2209 or 256-708-1340

Church Services
• Spirit Life Church of GOD, 1650 St. Joseph Dr. NW, Cullman
• Prayer meetings- Tuesdays at 10 a.m. Please join us to pray or come for prayer.
• "Events of the End Times" Bible study with Pastor Bobby Dodd- Wednesdays at 6 p.m.
• Sunday mornings- 10 a.m. adult, youth and children's classes; 11 a.m. children's classes; praise and worship, and message by Pastor Bobby Dodd

Cullman Moose Lodge Annual Turkey Shoots
At the Lodge on Eva Road at 8 a.m. every Saturday through Dec. 5. There will also be a special shoot Thanksgiving Day. Proceeds from these events will go to benefit the Lodge Special Projects Fund and local charities. Call 256-318-3013 for additional details or information.

Smoked Turkey & Ham Fundraiser
• Proceeds support the Cullman County Bosom Buddies Foundation.
• Let Freddie Day Catering cook your Thanksgiving ham or turkey! Order your delicious, slow-smoked 11-13 lb. turkey or 8-9 lb. ham and support the Cullman County Bosom Buddies Foundation.
• When: Pre-orders accepted until Nov. 13 (must be paid in full when order is placed)
• Cost: Turkey $25 Ham $35
• Curbside pickup: Nov. 21 from 10-11 a.m. and Nov. 25 from 4-5 p.m.
• Location: Freddie Day Catering 1628 2nd Ave. NW
• For ordering information, contact Louise Cole at 256-503-5301 or Judy Grissom at 256-347-5993.
• Email us at ccbbfinc@gmail.com or visit www.CullmanBosomBuddies.com.

Wallace State Future Foundation Student Investment Lunch-In and Auction
• The online auction will take place from Nov. 18 through Dec. 3, with anyone welcome to bid on items.
• The Lunch-In will be catered by Seasoned Catering and The Historic Bakery. The menu includes stuffed pork loin with bacon, Swiss cheese, sundried tomato and bacon citrus cream, green beans almondine, roasted baby red and gold potatoes, house made rolls and a gourmet red velvet cookie for dessert.
• The drive-thru event will be held Dec. 2 from 11 a.m. to 1 p.m., at the new Traditions Bank Operations Center at the corner of Third Avenue Northwest and First Street Northwest in Cullman. Deliveries will be made to Legacy, Premier and Gold sponsors on the date of their choice between Dec. 7-18.
• Sponsorship levels range from the $50 Fund a Need Sponsor to the $25,000 Legacy Sponsor, which pledges $5,000 annually for five years. Any donation will be gladly accepted, and donations can be earmarked to a specific scholarship fund of your choice.
• Visit www.wsccfuturefoundation.org/sil20 to register for the event, to access the online auction or make donations.
• Reservations for lunch should be made by Nov. 20. Call 256-352-7842 for more information or visit www.wsccfuturefoundation.org/sil20.

Cullman Education Retirees Association Meeting
• Thursday, Nov. 12 at 11 a.m. at Stone Bridge Farms in the meeting room (right of main dining room)
• All education retirees are invited to attend. Our program will be presented by Southern Eats. Following the program, we will have a brief business session and then enjoy lunch together.

Little Farmers Up in the Garden, Down in the Dirt
• Friday, Nov. 13, from 10-11 a.m. at the North Alabama Agriplex, www.agriplex.org
• Meet worm friends and try a little 'dirt' pudding! We will feature Kate Messner's adorable children's book 'Up in the Garden, Down in the Dirt' for this fun preschool program. This program is for ages 3-5 with their adult. Classes are $5 per child.

Saint Bernard Prep Open House
• Friday, Nov. 13, from 10 a.m.-2 p.m.
• Parents and students will tour the campus with student ambassadors and get any questions or concerns from the students' perspective regarding St. Bernard Prep. St. Bernard Prep is a co-educational, day and boarding school serving students in grades 7-12. Parents of students from fifth grade and up are welcome to attend the open house. Registration will take place in the school library where the tours will begin. For a personal tour, contact Fr. Linus Kluscarits at 256-739-6682. Saint Bernard Prep is operated by the Benedictine monks of St. Bernard Abbey.

34th Annual Ho! Ho! Ho! Christmas Show / Car, Truck & Motorcycle Show
• Saturday, Nov. 14 from 8 a.m.-2 p.m. at Depot Park by the Train Depot, 309 First Ave. NE
• Fundraiser for Christmas Love of Cullman- Entry fee is $20 or a new toy valued at $20
• Dash plaque for first 50 registered vehicles
• For more info, see www.facebook.com/hohohochristmasshow.

Drive-Thru Food Bank
• Saturday, Nov. 14, from 9-11 a.m. at Spirit Life Church of GOD, 1650 St. Joseph Dr. NW, Cullman
• Please bring an ID.

Cullman Elks Lodge Holiday Craft Fair & Vendor Expo
• Saturday, Nov. 14 from 10 a.m.-4 p.m. at the Cullman Elks Lodge, 1525 Brantley Ave. NW, Cullman
• Come out to shop early for Christmas. $1 ticket enters you for door prize drawings. Hot dogs, chili and chips available. All proceeds benefit Elks local charities.
• Masks are required. Please practice social distancing.

Swamp John's Dinner
• Saturday, Nov. 14 from 4-7 p.m. at East Side Baptist Church, 1111 Third St. SE, Cullman
• This is a fundraiser for our Missions department and all proceeds go toward these future ministry events. We will be providing drive-thru orders. Each $12 will also include a drink and a dessert.

Cullman Cars and Coffee
• Sunday, Nov. 15 from 2-4 p.m. at Depot Park, 309 First Ave. NE, Cullman
• Please park in the BIG parking lot across from the Festhalle Market! Be aware there may still be some construction going on.

Thanksgiving Revival with Dr. David Smith and Dr. David Beck
Sunday, Nov. 15 at 5 p.m. and Monday-Wednesday, Nov. 16-18 at 6:30 p.m. at Cross Baptist Church, 23654 U.S. Highway 31, Falkville, AL 35622

Heritage Skills Favorite Ferments
• Tuesday, Nov. 17, from 6-8 p.m. at the North Alabama Agriplex, www.agriplex.org
• We are featuring local farmer Mae Jefferson from Wild Rows Farm. A brief history of fermenting, a beginners guide to the process of fermentation, and an explanation of the health benefits will all be covered! Mae will do a sauerkraut demonstration and each participant will take home some kraut and a SCOBY (kombucha culture). Cost is $10 per person. Registration required.

Heritage Homeschool Woodworking
• Thursday, Nov. 19, from 9-11 a.m. at the North Alabama Agriplex, www.agriplex.org
• Students will use basic hand tools to make a woodworking project to take home. Due to the hands on nature of this program, no unregistered siblings allowed. Students may require assistance from their adults. Local members of the Woodworkers Guild will be on hand to help! Cost is $8 per child; max is $16 per family. Program is for kindergarten and up.

Vinemont Band Booster Craft Show
• Friday, Nov. 20 from 9 a.m.-7 p.m. and Saturday, Nov. 21 from 9 a.m.-4 p.m. at Cullman Church of Christ, 4345 AL Hwy. 157, Cullman, AL 35058
• Free admission. Door prizes and concessions. $500 cash raffle at noon Nov. 21.

Cullman County Bosom Buddies Foundation Mastectomy Bra and Prothesis 2-Hour Sale Fundraiser
• Saturday, Dec. 5 from 10 a.m.-noon at the Cullman VFW, 112 Veterans Drive SW

We will have:
• New mastectomy bras, in various sizes, for a minimum donation of $10
• New, in box, prostheses in various sizes for a minimum donation of $25
• If you use these products, this is a great deal for you!

Kids Loving Kids
• Dec. 12 at Spirit Life Church of GOD, 1650 St. Joseph Dr. NW, Cullman
• A community outreach that provides clothes and toys for children and teens. Help us provide for those in need by donating gently used clothes or toys, new toys or cash! Bring donations to the church Tuesdays from 10 a.m.-2 p.m. Call Joanne at 256-339-4138 to arrange a different time to drop items off. Call Alisha at 205-717-7478 to arrange for pick-up. To register to receive these items, sign up on Kids Loving Kid's Facebook page or go to https://form.jotform.com/202483601332041.

Fairview Lions Club Turkey Shoot
• Thanksgiving Day, Thursday, Nov. 26 at 7 a.m. at the Clinton Barbee Field (old pool field) on Wesley Avenue in Fairview starting
• We will shoot for turkeys and hams- $4 a shot. We are also selling chances on a Savage Bolt Action 270 rifle with a 22" barrel and case. Drawing will be after the turkey shoot. Tickets are $1 each or 6 for $5. All proceeds will go to the Fairview Lions Club Project Fund. For more info, call Kita at 256-385-8805.

Day (from Front)

Cullman City Schools
Contributor

CULLMAN, Ala. – Though 2020 has made it impossible to hold Veterans Day events packed with parents and grandparents, Cullman City Schools still found a few ways to bring some pomp and circumstance to the holiday this year — all while maintaining social distance and keeping everyone safe.

At East Elementary School and West Elementary School, COVID-19 protocols meant the traditional Veterans Day assemblies and reception programs wouldn't be possible. West typically hosts a massive reception, which fifth-grade teacher Keenan Fowlkes says has grown into one of the school's most beloved traditions. At East, the school would traditionally host an assembly celebrating local veterans and honoring them on-site.

With those events off the table this year, the staff at East and West got together to incorporate some of those traditions into a new medium — a Veterans Day video to show students, featuring those events and traditions, interspersed with interviews from students thanking local veterans for their sacrifices.

"My fifth-grade students at West, and even their parents, were disappointed we couldn't do our traditional program," Fowlkes said.

"Kids often tell me they look forward to coming to fifth grade just for that reason! So, to make sure they were still a part of things this year, I made sure to include each fifth-grade homeroom in the video, and that was great.

"I also pulled some of them for interviews, and my homeroom was so honored to recite The Preamble."

East Elementary teacher Briana Bauer said students there were excited to take part in the video, and that they were able to find a safe way to still honor Veterans Day this year.

"So many of our students feel the effects of being a military family and know the sacrifice that comes along with that.

"When offered the chance to be a part of a program, or in this case, a video, students light up at being able to be a part," she said.

"They love to tell stories of their grandparents or parents who are veterans. It's humbling to hear a child speak of 'their veteran' with such honor and pride."

Bauer said the Veterans Day program has always held a special place in her heart, as her father is a veteran and was always in attendance at the school's annual program.

"My children loved to introduce him to their teachers and friends as if he was a superhero, because in their eyes he is just that," she said. "I know that our typical program couldn't happen, but I am so happy that both schools were able to come together for such a worthy cause. I love the unity of having one video for all Cullman elementary students to see."

At Cullman Primary School, teachers made a point to incorporate Veterans Day education and activities into their curriculum this past week. Cullman City Primary School Reading Coach Erica Rutherford said they taught students about what it means to be a veteran and helped them find creative ways to celebrate the freedoms the veterans helped protect.

Colony (from Front)

W.C. Mann
craig@cullmantribune.com

COLONY, Ala. – Colony's Town Council met Tuesday evening before a packed house at town hall, with council members and others bracing for a fight from the outset. For the first time in a long period, even deputies from the Cullman County Sheriff's Office were present, dispatched at the request of an unknown person in the town.

Mayor Curtis Johnson challenged the qualification of Town Clerk Patricia Ponder to hold her office. At Johnson's request, Birmingham attorney Louis Willie came and presented excerpts from the Code of Alabama which, according to him, disqualify Ponder. Defining Ponder's position as that of a municipal officer, he read from Code 11-43-1:

Qualifications and residence of mayors, councilmen, and officers.
Every mayor, councilman, and officer elected by the whole electorate of the city or town shall be a resident and qualified elector of the city or town in which he shall have been elected and shall reside within the limits of the city or town during his term of office. The councilmen shall be qualified electors of said city or town, residing within the limits of the ward from which they shall have been elected and shall reside within the limits of said ward during the term of their office.

With this he made the claim that the clerk must live within the municipality, despite it being an appointed position approved by the council, and not, in the words of the Code, "elected by the whole electorate of the city or town." Willie said that the council, having been informed of the code, should act immediately.

Council members Ethel Alexander, Sam Ashford and Eric Carwell opposed Johnson's demand. Carwell said the council needed more information and might need to consult an independent attorney for an opinion before acting.

When Johnson called for a motion to dismiss Ponder, Alexander instead made a motion to retain the clerk for the time being. The following vote split the council: Alexander, Ashford and Carwell for, and Johnson, Cole and Parker against.

According to Ponder, the mayor's vote cannot create a tie, and so she dismissed Johnson's vote and declared the vote 3-2 in favor of keeping Ponder in place. Several in the audience disagreed, saying that the vote was a tie and therefore dead.

The Alabama League of Municipalities Council Meeting Manual reads:
If the mayor votes and the vote ends in a tie, the mayor may not vote a second time to break the tie. A mayor cannot vote twice under any circumstance. See, Jones v. Coosada, 356 So.2d 168 (Ala. 1978) and AGO 1982-280 (to Hon. Gwin Wells, April 5, 1982). A tie vote leaves the matter being voted on undecided.

In the positive moment of the night, after a presentation by Lenwood Herron of Greystone Partners LLC, a group that helps municipalities find grants, make infrastructure improvements and recruit business, the council took its only unanimous vote of the meeting: to seek a grant of up to $250,000 to pave roads around the town, starting with Colony Road.

The Colony Town Council meets at 5 p.m. the second and fourth Tuesdays of each month for a work session, followed by the council meeting. The public is invited to attend.

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Obituary Announcements: Nov. 11

Funeral services for Lance Anthony Golden, 41, of Baileyton will be at 2 p.m., Wednesday, Nov. 11, 2020 at Cullman Funeral Home Chapel with interment in Brooklyn Cemetery, Rev. Millard Guffey and Rev. Steve Rodgers officiating. Visitation will be from noon-2 p.m. Wednesday. Cullman Funeral Home is in charge of the arrangements. Lance passed away Sunday, Nov. 8, 2020 at Shepherd's Cove Hospice in Albertville. He was born Aug. 15, 1979 to James and Brenda Golden. He was a special needs child and was very special to his family. He was loved by many and certainly brought joy to a lot of people's lives. He loved puzzles and loved riding in his daddy's truck. Special thanks to Shepherd's Cove staff and volunteers in Albertville. We also want to thank Cara and Keith Guffey, Annette Kilgo, Sandra Wright, and Laverne Knight for their support during our time at Shepherd's Cove. He was preceded in death by his grandparents Morgan and Leedie Golden and Milburn and Boots Maynard. Survivors include his parents; his sister Alisha Golden; and a host of aunts, uncles, cousins, and friends. Pallbearers will be Keith Guffey, Terry Maynard, Landon Tweedie, Eric Segars, Morgan Guffey, Mark Morrow, and honorary pallbearer Phillip Kilgo. Friends may sign the online guestbook at www.cullmanfuneralhome.com.

Archie L. Persall was born Jan. 24, 1941 and passed away Nov. 7, 2020. He is survived by his wife Juana Jean Persall and daughters Debra, Donna, Delinda, Deresa, and Shay. He was preceded in death by his parents Archie and Lois Williams Persall. Graveside services will be Nov. 12, 2020 at Cullman City Cemetery at 11 a.m. In lieu of flowers, please make a donation to the charity of your choice.

Mr. Edward Cleo "Pat" Patterson of Cullman passed away Nov. 8, 2020 at the age of 80. He was born Jan. 26, 1940 in Cullman to Luther C. and Mary Stevens Patterson. He is preceded in death by his parents; daughter Leah Patterson Lust; sister Patsy Ellard; and brothers John Herbert Patterson, Hobert Patterson, and Clyde Patterson. Mr. Patterson was a lifelong member of Jones Chapel United Methodist Church and most recently a member of St. Andrews United Methodist Church. He worked for and retired from the State of Alabama DOT as a bridge inspector. He also worked for the Cullman County Sheriff's Department part-time. He was an avid University of Alabama football fan. Funeral services are Friday, Nov. 13, 2020 at Moss Funeral Home Chapel at 2 p.m. with Rev. Chuck Canterbury officiating. Interment will follow services in Cullman City Cemetery. Survivors are wife Carol Patterson; son Eddie (Mary) Patterson; sister Velma "Pat" Thomason; and grandchildren Mary Kathryn (Andy) Colbert and Sarah Elizabeth (Conner) Thigpen. Visitation is Friday, Nov. 13, 2020 from 11 a.m.-2 p.m. at Moss Funeral Home. We would like to ask everyone to follow social distancing and mask guidelines. The family requests in lieu of flowers donations be made to St. Andrews United Methodist Church at 615 Main Ave. SW, Cullman, Alabama 35055. Please send memories and condolences to the family at www.mossservicefh.com. Moss Service Funeral Home directing.

Frank George Fink was born May 22, 1930 and passed away Nov. 9, 2020 and is under the care of Moss Service Funeral Home.

Jeanette Mae Fromhold Tucker, 87, of Logan, Alabama passed away Sunday, Nov. 8, 2020. Jeanette was born Feb. 7, 1933 to William and Clara Mae Brazil Fromhold. She was preceded in death by her parents and son Ronald Gilbert Tucker. Jeanette was a loving mother, grandmother and great-grandmother and enjoyed the last 12 years in Woodland Village. She is survived by daughters Rita Tucker and Pattie Harbison (Charles); seven grandchildren; and 19 great-grandchildren. Visitation for Mrs. Tucker will be at Moss Service Funeral Home Thursday, Nov. 12, 2020 at 6:30 p.m. with a rosary at 7 p.m. Funeral Mass will be at Sacred Heart Catholic Friday at 10 a.m. with interment to follow in the Catholic Cemetery. Fond memories and expressions of sympathy may be shared at www.mossservicefh.com for the Tucker family.

Funeral services for Mary Louise Sims, 73, of Cullman will be at 3 p.m. Sunday, Nov. 15, 2020 at Cullman Heritage Funeral Home with Chris Pugh officiating. Visitation will be from noon-3 p.m. prior to the service. Cullman Heritage Funeral Home is in charge of arrangements. Mrs. Sims passed away Monday, Nov. 9, 2020 at Grandview Medical Center. She was born Jan. 16, 1947 to John E. and Mildred O'Bryan. She was preceded in death by her parents; husband Hubert Sims; grandchild Brandon Sims; sister Ruth Humenik; and brother John O'Bryan. Survivors include her sons Everett "Gene" (Kim) Sims and Michael Sims; daughter Jennafer Durham; stepson Mark Sims; grandchildren Tesa (Katlyn) Sims, Steven Sims, Ashleigh Sims, A.J. Sims, Alley Sims, Emily Durham, Matthew Sims, and Kyle Sims; step-grandchildren Chrissy Nix, Danielle Hyche, Johnathan Kreps, and Mariah Holland; great-grandchildren Jude Williams, Dillyn Richter, Makenna Kreps, and Rylan Hyche; and sisters Janice (Nick) Vroegendewey and Faye Davidson.

Bertis Young, Jr., 50, of Double Springs entered into rest Monday, Nov. 9, 2020 at Grandview Medical Center. He was born Sept. 4, 1970 in Haleyville, Alabama. Visitation will be Wednesday, Nov.11, 2020 from noon-2 p.m. at Nichols Funeral Home in Double Springs, where the service will begin at 2 p.m. Brother Danny Page will officiate. Burial will follow in Rock Creek Cemetery. The family asks that all who attend the service to please wear a mask. Bertis is survived by his parents Bertis Young, Sr. and Zena Martin Young; special friend Lynndee Raney; and a host of other family and friends. He was preceded in death by his grandparents David and Viola Young and Cecil and Grace Martin and uncles Bobby Young and Jimmy Martin.

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PREP FOOTBALL

Addison, Good Hope, Fairview hitting road for round 2

Sammy Confer
sammy@cullmantribune.com

CULLMAN, Ala. – The first round of this year's AHSAA high school state playoffs is in the books and three of the seven local contenders are advancing to the second round. Addison, Good Hope and Fairview will all travel Friday night as the Bulldogs take on North Sand Mountain, the Aggies square off against Ramsay at Legion Field and the Raiders face West Limestone.

(7-4) Addison at (10-1) North Sand Mountain

The Addison Bulldogs took on Colbert County in the first round of the Class 2A playoffs last Friday night and it turned out to be a low-scoring, but exciting affair. After the Indians tied it at 15 early in the final period, the Bulldogs got the ball and went on an amazing drive that took 8:46 off the clock and a Nelson Martin 3-yard touchdown run gave Addison the 22-15 win.

Their second-round opponent is the same team that knocked the Bulldogs out of the playoffs last season, the North Sand Mountain Bison, who shut out Southeastern last week, 19-0 to advance to this week's game. The 20-13 loss to North Sand Mountain in the first round in 2019 is still in Addison's mind and the Bulldogs would love nothing more than to eliminate the Bison from the postseason this time around. North Sand Mountain has put up 30 or more points in six games so far this season, so the Bulldog defense will definitely be tested once again.

The Bulldogs are averaging 30 points a game while allowing just 19 a contest, and the Bison are averaging 31 points a game and are allowing just 14. Addison is 2-3 on the road this season, but it will look to change that Friday night against no. 6-ranked North Sand Mountain. Their game plan against the Bison should be the same as last week: run the ball, burn a lot of time off the clock, and play really stout defense. If the Bulldogs can do all of those things, they will have an opportunity to move on to the quarterfinals

(10-1) Fairview at (11-0) Ramsay

The 10th-ranked Fairview Aggies took on Center Point in the opening round of the Class 5A playoffs last week and they played catch up for most of the game before launching a huge second-half comeback to defeat the Eagles, 27-22. The game-winning touchdown came on a trick play in which Parker Martin handed the ball off to Eli Speegle, who then tossed it to Bryson Chamness before he hit a wide-open Martin for the 19-yard game-winning score to help Fairview move on to the second round.

The Aggies will take on the no.1-ranked Ramsay Rams in the second round Friday night in the first-ever meeting between the two teams. Ramsay routed Lawrence County, 56-20, last week. The Rams' offense has been tough to slow down so far as in all but one game, they've scored over 30 points. They hit the 40 and 50-point mark in four of their games this season, so the Fairview defense will have a tough task in front of it this week.

Fairview is averaging 30 points a game and allowing just 16 while Ramsay is averaging 36 points a game and has allowed just 12. In order to pull off the upset this week, the Aggies will have to continue to do what they've been doing all season: mix in the run and pass and get everyone involved offensively while the defense will need to play one of its best games of the season. If they can do that, they will have a great chance to punch their ticket to the quarterfinals.

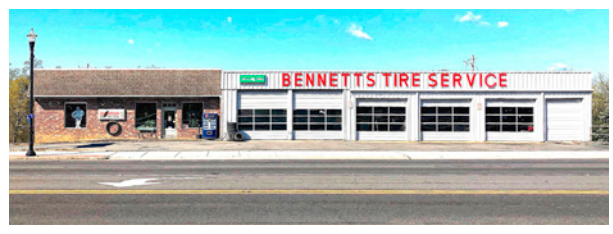
(10-1) Good Hope at (10-1) West Limestone

The 10th-ranked Good Hope Raiders faced off against North Jackson in the first round of the Class 4A playoffs last Friday and they dominated the Chiefs as they rolled to a 33-8 win. They got a pair of touchdowns from Colton Bagwell and Tanner Malin and Eli Pugh added one on the ground as well. After allowing a touchdown in the opening quarter, the Raider defense shut out North Jackson's offense the rest of the way.

Good Hope will travel to take on West Limestone in the second round of the playoffs Friday night. The Wildcats dominated Hamilton at home last week, 44-0. This will be the fourth meeting between both teams. The Raiders are 1-2 overall against the Wildcats and they last played against each other in 2007. Both teams have been hard to slow down offensively, as in all but five games, they've scored over 30 points, and they both feature stingy defenses as well. The Raiders are averaging 32 points a game while allowing just 15 and the Wildcats are scoring 38 points a game while allowing just 18. Good Hope is 5-0 on the road and West Limestone is 6-0 at home, so this will be a must-see game for both teams. If the Raiders can continue to find success in the running game and stay strong of the defensive side of the ball, they'll have a great opportunity to advance to the next round.

CHRISTMAS
in Cullman
FRIDAY, DECEMBER 4TH
DOWNTOWN CULLMAN & DEPOT PARK
5:00PM - 9:00PM
PARADE BEGINS AT 7:00PM
TREE-LIGHTING BEGINS AT 7:45PM
MINI CHRISTKINDLMARKT
& PHOTOS WITH SANTA

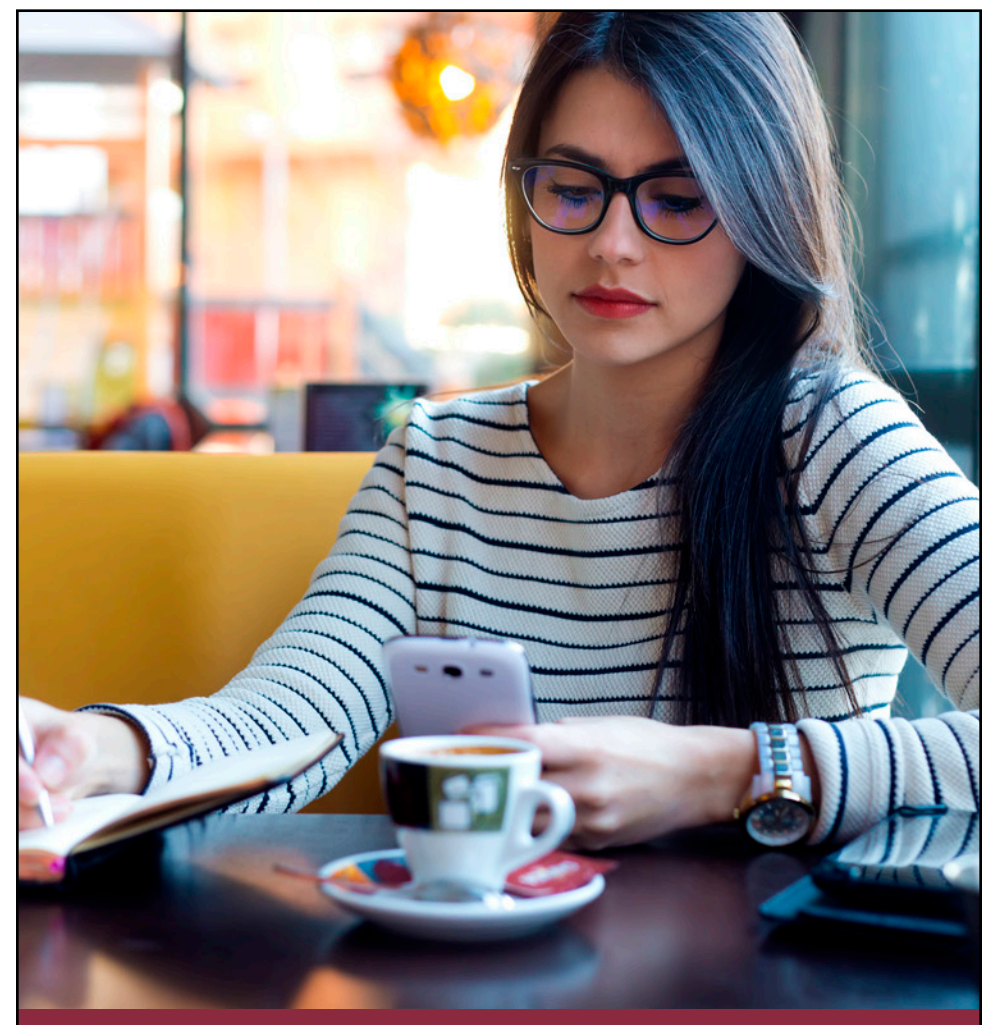
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ORDINANCE NO. 2021 - 02
TO SET RATES FOR THE COLLECTION AND DISPOSAL OF MUNICIPAL SOLID WASTE
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. Beginning with the services rendered for the 1st day of November, 2020, the following fees shall be charged by the City of Cullman, Alabama for the collection, transportation, and disposing of municipal solid waste and inert waste:

A. RESIDENTIAL. There will be a $16.00 per month charge for the first container each additional will be an additional $8.00 per container, for once a week solid waste pickup, for each single family residence, town house, condominium or other living quarters within the city limits of the City of Cullman. Provided, further, that in apartment houses or other buildings or residences where more than one family occupy and maintain separate apartments, a garbage container shall be provided to each family living in such building or residence, and each family shall pay the garbage fee required by this ordinance. All garbage and waster shall be placed in plastic bags in the city provided container. No trash or waste in any container, other than the city provided container, will be picked up by the City of Cullman. Excessive trash pickup at a residence can be charged an additional pickup fee at the discretion of the Sanitation Department.

B. COMMERCIAL. There will be a minimum charge of $60.00 per month for weekly solid waste pickup in two 96 gallon carts for each office or business in the City of Cullman. If more frequent service is required, fees may be adjusted accordingly. All garbage and waste shall be placed in plastic bags in the city provided container. No trash or waste in any container, other than the city provided container, will be picked up by the City of Cullman. Excessive trash pickup at a commercial office or business can be charged an additional pickup fee at the discretion of the Sanitation Department.

C. DUMPSTER SERVICE:

DUMPSTER SIZE	COST PER HAUL	DELIVERY FEE
Two Yard Dumpster	$ 80.00	$ 50.00
Four Yard Dumpster	$ 120.00	$ 50.00
Six Yard Dumpster	$ 160.00	$ 50.00
Eight Yard Dumpster	$ 200.00	$ 50.00

D. ROLL-OFF SERVICE	PER DELIVERY	COST PER HAUL	DAILY RENT	TIPPING FEES
Twenty Yard Roll-Off Container	$ 100.00	$ 175.00	$ 6.00	Plus tipping fees
Thirty Yard Roll-Off Container	$ 100.00	$ 175.00	$ 6.00	Plus tipping fees
Forty Yard Roll-Off Container	$ 100.00	$ 175.00	$ 6.00	Plus tipping fees.

E. COMPACTOR SERVICE: Minimum Monthly Rental Charge for a compactor is $475.00 plus hauling and disposal fees which will vary at the discretion of the Sanitation Department.

SECTION 3. There will be an inflation adjustment of 3% or the Consumer Price Index (CPI), whichever is greater, will applied annually to all rates and fees included in this ordinance on every October 1st.

SECTION 4. This ordinance is adopted solely for the purpose of changing the fees for the collection, transportation and disposal of municipal solid waste and inert waste in the City of Cullman.

SECTION 5. All ordinances or parts thereof which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. This ordinance shall become effective immediately upon its adoption, approval and publication as provided by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020. /s/ Jenny G. Folsom - President of the City Council
ATTEST: /s/ Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 9th day of November, 2020. /s/ Woody Jacobs - Mayor

ORDINANCE NO. 2021 - 03
TO CHANGE THE PLANNING COMMISSION OF THE CITY OF CULLMAN, ALABAMA, FROM NINE TO SEVEN MEMBERS AS A CLASS 6 MUNICIPALITY AND TO PERSERVE ITS POWERS AND AUTHORITY

WHEREAS, this ordinance complies the Code of Alabama 1975, §11-52-3 and §11-52-16;
WHEREAS, Ordinance 541 of the CITY OF CULLMAN created a Planning Commission;
WHEREAS, the governing body of a Class 6 Municipality may determine by ordinance the Planning Commission of a municipality shall consist of seven (7) members, and;
WHEREAS, the current nine (9) member Planning Commission consists of the Mayor, or his or her designee, one of the administrative officials of the municipality selected by the Mayor, a member of the City Council selected by the City Council, and six (6) persons appointed by the Mayor, and;
WHEREAS, the new format of the Planning Commission would allow the Council to select a member that may or may not be a member of the Council, and would vest the remaining six appointments in the Mayor; and
WHEREAS, in the interest of the community, its growth and efficiency of the role of the Planning Commission, the City Council finds that it is in the best interest of the CITY OF CULLMAN to change the format of the current Commission.
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, AS FOLLOWS:

SECTION I. Current Format:

A. CITY OF CULLMAN Ordinance 541, adopted the 8th day of April, 1963, created a Planning Commission pursuant to Act No. 534, H. 992, approved September 14, 1935, (General Acts 1935, p. 1126, Alabama Code of 1940, Section 786 et seq) that consisted of nine (9) members, to be appointed for the terms and in the manner set forth in the said Act.
B. The Mayor and Council are hereby authorized to make all appointments, with a member of the Council to be selected by it to serve as a member ex officio, and exercise all authority as authorized by such statute with regard to the planning commission.
C. The planning commission shall meet on the first Monday of each month at 5:30 p.m. at the city hall unless otherwise provided by the commission or the city council from time to time.

SECTION II. Role:

A. The Planning Commission is authorized and empowered to make and adopt a master plan for the continued, physical development of the said City of Cullman, Alabama, including any areas outside its boundaries which, in the Commission's judgment, bear relation to the planning of such municipality. Such plan, with the accompanying maps, plats, charts and descriptive matter, shall show the Commission's recommendations for the development of said territory, including among other things the general location, character, and extent of streets, viaducts, subways, bridges, waterways, waterfronts, boulevards, parkways, playgrounds, squares, parks; aviation fields, and other public ways, grounds and open spaces, the general location of public buildings and other public property, and the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes, also the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing ways , grounds, open spaces, buildings, property, utilities, or terminals as well as a zoning plan for the control of the height, area, bulk, location and use of the buildings and premises.
B. As the work of making the whole master plan progresses, said Commission may from time to time adopt and publish a part or parts thereof, any such part to cover one or more major sections or divisions of the municipality, or one or more of the aforesaid or other functional matters to be included in the said plan. The said Commission is hereby authorized and empowered to exercise all power and do all things authorized to such Commission by said Act 584 as it may deem necessary for its work. The said Commission is also authorized and empowered to do all things authorized to such Commission by said Act, and to exercise such control as it authorized under aforementioned Act 534 with reference to the subdivision of unimproved property within five miles of the corporate limits of the CITY OF CULLMAN, ALABAMA.

SECTION III. New Format:

A. Pursuant to §11-52-16, the Council does hereby abolish and do away with the previous and current Commission format under §11-52-3.
B. The Council hereby adopts, as a Class 6 municipality, under §11-52-16, a seven (7) voting member Commission.
C. The members shall consist through appointment as follows:
    1. Six (6) members appointed by the Mayor;
    2. One (1) member appointed by a majority of the Council, who may be a member of the Council; and
    3. One (1) nonvoting advisory member who shall be appointed by the mayor, who shall be an administrative official of the municipality qualified by education, training, experience, and job responsibilities to provide substantive and technical advice, assistance, and guidance to the planning commission in the exercise of its statutory functions.
    4. All members of the planning commission shall be at least 21 years of age and, to the extent not inconsistent with this section, shall meet the additional qualifications for membership on municipal planning commissions as prescribed by law.
    5. All voting members of the planning commission shall be residents of the municipality. A vacancy shall be declared by the planning commission, after notice to the member, if a voting member of the planning commission ceases to reside in the municipality. The vacant position shall be filled by the Mayor or Council, as appropriate, within 90 days of a declaration of vacancy by the planning commission. The declaration of a vacancy shall operate to terminate the membership and voting authority of the member who no longer resides within the municipality.

D. Members other than the member selected by the Council may, after a public hearing, be removed by the Mayor for inefficiency, continued failure to attend meetings, neglect of duty or malfeasance in office. The council may for like cause remove the member or members selected by it. The mayor or council, as the case may be, shall file a written statement of reasons for such removal.
E. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term by the mayor in the case of members selected or appointed by him or her, by the council in the case of the member, or other members selected by it and by the appointing power designated by the council in municipalities in which the mayor is not an elective officer.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020. /s/ Jenny G. Folsom - President of the City Council
ATTEST: /s/ Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 9th day of November, 2020. /s/ Woody Jacobs - Mayor

ORDINANCE NO. 2021-04
TO REGULATE GRASS AND WEED NUISANCES, ABANDONED AND INOPERABLE VEHICLES, ABANDONED/UNOCCUPIED DILAPIDATED STRUCTURES, AND OTHER NUISANCES

WHEREAS, this ordinance complies the Code of Alabama 1975, §6-5-120, §6-5-121, §6-5-122, §11-47-117, §11-47-118, §11-40-31, §11-53A-1, §11-53A-6, §11-53B-1, §11-53B-2, §11-53B-6, §32-8-2, §32-8-84, §32-13-1, §32-13-2, §32-8-34 §11-47-131 through §11-47-140, §11-67-60 through §11-67-67, and §11-67-20 through §11-67-28.
WHEREAS, an abundance of abandoned or inoperable vehicles, abandoned overgrown grass and weeds, abandoned and unoccupied dilapidated structures, and other nuisances described herein within the city limits of Cullman, Alabama, could be injurious to the general welfare through being a dangerous public menace and an eyesore, and providing breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects and pests; or attaining heights and dryness that constitute a serious fire threat or hazard; or bearing wingy or downy seeds, when mature that cause the spread of weeds and when breathed, irritation to the throat, lungs, and eyes of the public; or hiding debris such as broken glass or metal that could inflict injury on a person going upon the property, or being unsightly and constituting a usual blight, and;
WHEREAS, it is abundantly clear that municipalities may bring an action to abate a nuisance, and under §6-5-122, "all municipalities in the State of Alabama may commence an action in the name of the city to abate or enjoin any public nuisance injurious to the health, morals, comfort or welfare of the community or any portion thereof."
WHEREAS, the abatement, enjoinment, demolition, removal and clearance of such abandoned and unoccupied dilapidated structures, abandoned or inoperable vehicles, overgrown grass and weeds, and other nuisances described herein must be accomplished for the overall good and protection of the public as a whole.
WHEREAS, each case of alleged nuisance must be decided upon its own facts on a case-by-case basis.
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, AS FOLLOWS:
SECTION I:

A. It shall be unlawful for the owner, occupant, or person in charge of a property within the City of Cullman, Alabama, to allow the existence of any abandoned, unoccupied dilapidated structure that is a dangerous public menace that could work hurt, inconvenience, or damage to another, as well as an eyesore.
B. It shall be unlawful for the owner, occupant, or person in charge of a property within the City of Cullman, Alabama, whether vacant or not, to use said property for open storage of any inoperable or abandoned motor vehicle, ice box, refrigerator, stove, or other appliance, glass, bottles, tin cans, brush, combustible materials, building materials, building rubbish, and similar items, or to allow the accumulation of weeds, grass, dead trees, brush, trash, garbage, tires, and similar items that create a nuisance and blight on the community, unlawful for an accumulation or storage of debris, refuse, brush, parts of buildings, remains from building demolition, parts of untenantable or uninhabitable structures, used machinery, used tires, used vehicles, parts of vehicles, abandoned vehicles, or any other materials which may provide a breeding place for mosquitoes, harmful insects, rodents and snakes or is so unsightly as to be offensive to the surrounding area is a nuisance in violation of this Ordinance.
C. It shall be unlawful to allow garbage to remain exposed in any manner on such person's premises or on the adjacent street or alley.
D. It shall be unlawful for any person to sweep, throw or dispose of trash, waste matter or garbage onto or into property not owned by such person or under such person's control, except in the landfill as designated by the City in a lawful manner.
E. It shall be unlawful for any person to throw or sweep trash, rubbish, garbage, or filth of any kind onto the streets, sidewalks, or public grounds in the City or into waterways, ponds, lakes, or other bodies of water within the City limits of the City of Cullman or direct others to do so.
F. It shall be unlawful for any person to permit or maintain the existence of any nuisance on any property under such person's ownership or control. Property under a person's ownership and control includes those areas referred to below in "Duties of Owner". A person with a duty to abate any nuisance is liable for separate and distinct offenses for each day the nuisance is allowed to remain after it has become such person's duty by notice of the enforcing official to abate it.
G. It shall be unlawful and a nuisance, in violation of this Ordinance for the owner of any real property situated within the corporate limits of the City to allow such real property to become overgrown with tall grass or with any weed or plant such as jimson, burdock, ragweed, cocklebur or other weed of like kind or any weed or plant bearing wingy or downy seeds or any weed or plant that is otherwise noxious, dangerous, harmful, or poisonous. Overgrown means a height of 12 inches or more. Excepted from such grass and weed nuisance requirements are:
    1. Any property which is in its natural condition as defined herein.
    2. Any property which is located outside any improved subdivision and is located more than 100 feet from any boundary or any lot or parcel of real estate upon which any dwelling is located and more than 100 feet from any commercial enterprise. For good cause the enforcing official may reduce the area subject to this Ordinance to a lesser distance.
    3. Cultivated row crops and garden plants in their respective growing seasons. But this exception applies only to growing crops and garden plants and shall not be construed to permit any corps or gardens to become overgrown with grass and weeds in violation of the remaining terms of this Ordinance.

SECTION II: For the purpose of this Ordinance, certain terms are defined as follows:
Abandoned Vehicle: A motor vehicle as defined in that has been unclaimed as provided in §32–8–84 for not less than 30 calendar days from the date the notice was sent to the owner and lienholder of record, or if no owner or lienholder of record could be determined, has been unclaimed for not less than 30 calendar days. The term "abandoned motor vehicle" also includes any attached aftermarket equipment installed on the motor vehicle that replaced factory installed equipment. §32-8-84, Code of Alabama 1975 defines an unclaimed motor vehicle as:

1. A motor vehicle left unattended on a public road or highway for more than 48 hours.
2. A motor vehicle, not left on private property for repairs that has remained on private or other public property for a period of more than 48 hours without the consent of the owner or lessee of the property.
3. A motor vehicle, left on private property for repairs, that has not been reclaimed within 48 hours from the latter of either the date the repairs were completed or the agreed upon redemption date.
4. Also, any motor vehicle which is in a wrecked, dismantled, partially dismantled, discarded or otherwise inoperable condition, or does not have affixed thereto an unexpired license plate and has been parked, stored or left, whether attended or not, upon any public or private property in the city for a period of time in excess of seven business days.

The term includes any boat, golf-cart, motor bike, or ATV which is in a wrecked, dismantled, partially dismantled, discarded or otherwise inoperable condition. The term does not include any motor vehicle:

1. enclosed within a building on private property;
2. held in connection with a business enterprise, lawfully licensed by the City on property zoned for junkyard, vehicle repair facility or vehicle storage yard;
3. in operable condition specifically adapted or designed for operation on drag strips or raceways;

Building: Any structure or part thereof, not a dwelling as defined in this section.
Dwelling: Any building or structure or part thereof used and occupied for human habitation or intended to be so used, and including any outhouses and appurtenances belonging thereto or usually enjoyed therewith.
Enforcing Official: Any employee designated by the Mayor or the Chief of Police as the person to exercise the authority and perform the duties delegated by this Ordinance to the enforcing official.
Grass or Weed Nuisance: Any abundance of overgrown grass or weeds within the City which is injurious to the general public health, safety and general welfare by providing breeding grounds and shelter for rats, mice, snakes, mosquitoes and other vermin. Insects and pests; or attaining such heights and dryness so as to constitute serious fire threat or hazard; or bearing wingy or downy seeds, when mature, that cause the spread of weeds, and, when breathed, irritation to the throat, lungs, and eyes of the public; or hiding debris, such as broken glass or metal, which could inflict injury on any person going upon the property; or being unsightly; or any growth of grass or weeds, other than ornamental plant growth, which exceeds 12 inches in height.
Improved Subdivision: A division of a tract of land or acreage into tracts or parcels and the improvements thereof by construction of streets, water lines and, where applicable, sewer lines to serve the subdivided property.

Natural Condition: Uncultivated and unseeded land, still in a state of nature. But any growth on land, once it has been cleared or plowed, is not a natural condition, even though it has not been planted or cultivated by anyone.
Nuisance: Defined under §6-5-120 as, "Anything that works hurt, inconvenience or damage to another. The fact that the act done may otherwise be lawful does not keep it from being a nuisance. The inconvenience complained of must not be fanciful or such as would affect only one of a fastidious taste, but it should be such as would affect an ordinary reasonable man." A nuisance arises from the unreasonable, unwarrantable or unlawful use by a person of such person's own property, either real or personal, or from such persons own improper, indecent, unsightly or unlawful personal conduct, working an obstruction of or injury to the right of another or of the public, and producing material annoyance, inconvenience, discomfort or hurt to another person or to the general public; anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property of another.
Owner of Property. Includes legal title holder, or lessee, or occupant of property, or agent of legal title holder or lessee, in charge, possession or control of said property.

SECTION III:

A. **DUTIES OF OWNER:** It shall be the duty of the owner of any real property located within the city to maintain any grass or weeds growing upon said property in such a manner as not to constitute a nuisance. The duties and obligations of the owner extend to and include any real property situated within a dedicated right-of-way or easement burdening the property, except to the extent that it may be impracticable to do so because of public facilities located thereon. Such right-of-way and easements must be maintained by the owner in a manner consistent with the maintenance of the owner's remaining property and within the requirements in this Ordinance, except to the extent it may be impracticable to do because of public facilities located thereon.
B. **MAINTENANCE PRACTICES OF CITY**: The dedication of and existence of a right-of-way for a public road or of an easement for drainage or for public utilities represents the grant of only a limited interest in property and does not change the actual ownership of the property upon which the right-of-way or easement is located. The public authority maintains rights- of-way and easements only to the extent necessary to maintain the public facility and to maintain safety. The owners of the burdened property continues to control the property, except to the extent that such control interferes with the public use. The public authority does not cut grass, weeds, and other growth upon rights-of-way or easements, except to the extent necessary for operations and safety purposes. All other maintenance is the responsibility of the owner of the property upon which the right-of-way or easement is located.

SECTION IV:

A. Whenever in the opinion of the Enforcing Official, a violation of the Ordinance exists, the Enforcing Official shall order the owner of the property where the nuisance is located to abate the condition. The Enforcing Official shall give the owner written notice either in person or by first class mail requiring the owner to comply with this Ordinance and apprise the owner of the facts of the alleged nuisance and state the date by which the nuisance is to be abated. The notice shall require the owner to complete the abatement of the nuisance within the following period provided that the Enforcing Official shall stipulate additional time but in no case no more than a total of 30 days for any type of nuisance set out in the Ordinance, the Enforcing Official shall give not less than 14 nor more than 30 days for any type of nuisance set out in the Ordinance. Notice shall be sent to that person shown by the records of the county tax collector to have been the last person assessed for payment of ad valorem tax on the property where the nuisance is situated. It shall be the responsibility of that person to promptly advise the Enforcing Official of any change in ownership or interest in the property. It shall be unlawful to knowingly fail to notify the Enforcing Official of any such change of ownership or interest.
B. Any employee of the City of Cullman who is designated by the Mayor or Chief of Police as a Code Enforcement Officer is hereby authorized to issue a citation or summons to persons found by him to be in violation of this Ordinance of the City of Cullman.
C. The citation or summons shall order the person in violation to appear in Municipal Court at a date and time certain to answer to the charge against him/her. Each citation or summons shall:
    1. Be in writing and state the facts;
    2. State the name of the accused;
    3. State the address of the accused, if known;
    4. State the offense charged;
    5. Set forth the date and time the accused is to appear in Municipal Court;
    6. Set forth the address of the Municipal Court;
    7. Be signed by the officer issuing or serving the citation or summons; and
    8. Set forth a warning in bold type that willful failure to appear as directed is a misdemeanor and that a warrant for failure to appear will be issued.

    The complaint may read as follows for any abandoned, unoccupied and dilapidated or untenable structures: "That located on the said described lot is a frame building and this complaint alleges that said building is unoccupied and not tenantable; that said building is in a dilapidated condition, open to the public and to animals; that in its present condition and state of repair it constitutes a fire hazard and a dangerous menace to the CITY OF CULLMAN and is a nuisance under the laws of the State of Alabama, and that the existing conditions, herein described, constitute a flagrant and persistent continuing nuisance in the CITY OF CULLMAN which is dangerous, offensive, unwholesome and injurious to the health, safety and welfare of the CITY OF CULLMAN."
D. A citation or summons delivered to or served upon a person accused of committing a violation or offense in violation of a City Ordinance or Code shall place a duty upon such person to appear in Municipal Court at the time and date indicated thereon and it shall be unlawful for any such person to fail to appear as directed in said citation or summons.
E. Failure to appear at the time and date directed shall be prima facie evidence of a willful failure to appear and the Court may cause a warrant to be issued for the accused on a failure to appear charge.
F. The provisions of this Ordinance are cumulative with previously granted authority in other ordinances and does not restrict any previously granted authorization to issue citations or summons.
G. If the owner or tenant is absent, the enforcing official shall give the owner written notice in person or by first class certified mail with return receipt requested. The notice shall require the owner to comply with this Ordinance and appear before the Court in such manner as set out in Section IV C. The notice shall apprise the owner of the facts of the alleged nuisance and shall name the particular date, time, and place for such hearing. The notice shall be sent to that person shown by the records of the county tax collector to have been the last person assessed for payment of ad valorem tax on the property where the nuisance is situated. It shall be the responsibility of that person to promptly advise the enforcing official of any change in ownership or interest in the property. It shall be unlawful to knowingly fail to notify the enforcing official of any such change of ownership or interest.

SECTION V. Penalties for Violating this Ordinance:

All violation of the provisions of this Ordinance shall be punishable by:
1. A fine in the minimum sum of Fifty Dollars ($50.00) up to a maximum of Five Hundred Dollars ($500.00).
2. Imprisonment in the municipal jail for a term not to exceed six months.
3. Both such fine and imprisonment.

Each offense shall be a specific violation. If the owner fails, neglects or refuses to comply with the notice to abate, enjoin, demolish remove and clear of such abandoned and unoccupied dilapidated structures, building materials, building rubbish, and similar items, abandoned or inoperable vehicles, overgrown grass and weeds, or any act or omission mentioned in §I(B), then the enforcing official shall cause the abatement, enjoinment, demolition, removal and clearance of such abandoned and unoccupied dilapidated structures, abandoned or inoperable vehicles, overgrown grass and weeds by any means permitted by law at the expense of the owner of such property owner. The amount of the cost of abatement of a nuisance by the city, including all court costs, appraisal fees, administrative costs, attorneys' fees, and all other costs necessarily associated with the abatement action, shall constitute a lien against the real property upon which such costs were incurred. The lien provided for in this section shall be perfected and foreclosed as provided by state law.

SECTION VI. Municipal Court Authority and Summary Abatement:

Any judge of the municipal court of the city shall have the power to order the removal, abatement, demolition, fine or other appropriate judicial remedy of those things which are declared either by this article, state law or federal law to be nuisances, or which are nuisances per se, and from their nature indisputably are so. Summary abatement, without notice to the owner thereof, shall only occur where the nuisance is of imminent and serious danger to the health, safety or general welfare of the citizens of the city and the owner or occupant cannot be notified.

SECTION VII. Severability:

Each and every provision of this Ordinance is hereby declared to be an independent provision and that holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof and it is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provision which might have been held invalid. This Ordinance repeals any prior Ordinance in conflict therewith.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020. /s/ Jenny G. Folsom - President of the City Council
ATTEST: /s/ Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 9th day of November, 2020. /s/ Woody Jacobs - Mayor

ORDINANCE NO. 2021 - 06
TO SET RATES FOR RETAIL SEWER SERVICES
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1 Charges for sewer services provided by the City of Cullman shall be calculated on a billing period of approximately thirty (30) days or once each month and shall be based upon the quantity of water used.

SECTION 2 There are hereby established the following charges for sewage disposal service measured by quantity of water used, effective January 1st, 2021:

RESIDENTIAL RATES INSIDE CITY LIMITS
$ 10.00 plus $ 13.50 per 1,000 gallons

RESIDENTIAL RATES OUTSIDE CITY LIMITS
$ 20.00 plus $ 16.50 per 1,000 gallons

COMMERCIAL RATES INSIDE CITY LIMITS
$ 20.00 plus $ 14.00 per 1,000 gallons

COMMERCIAL RATES OUTSIDE CITY LIMITS
$ 40.00 plus $ 17.00 per 1,000 gallons

INDUSTRIAL RATES INSIDE CITY LIMITS
$ 50.00 plus $ 14.50 per 1,000 gallons

INDUSTRIAL RATES OUTSIDE CITY LIMITS
$ 100.00 plus $ 18.00 per 1,000 gallons

SECTION 3 There will be an inflation adjustment of 3% or the Consumer Price Index (CPI), whichever is greater, will be applied annually to all rates and fees included in this ordinance on every October 1st.

SECTION 4 Minimum and Maximum Charges. The minimum charge for sewer service shall be the charges set out in Section, Paragraph (a) and (b). The maximum charge for sewage disposal services shall be determined by the amount of water used.

SECTION 5 All ordinances or parts thereof which are in conflict with this Ordinance are hereby expressly repealed.

SECTION 6 The City Council hereby declares that this Ordinance is adopted solely for the purpose of changing rates to be charged for sewer service, and it is not the intention of this Council to repeal Ordinance No. 1102 nor to repeal any sections of Ordinance No. 1335 not expressly changed by this Ordinance.

SECTION 7 This ordinance shall become effective immediately upon its adoption, approval and publication as provided by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020. /s/ Jenny G. Folsom - President of the City Council
ATTEST: /s/ Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 9th day of November, 2020. /s/ Woody Jacobs - Mayor

ORDINANCE NO. 2021 - 07
TO SET RATES FOR RETAIL WATER SERVICES
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1 Charges for water services provided by the City of Cullman shall be calculated on a billing period of approximately thirty (30) days or once each month and shall be based upon the quantity of water used.

SECTION 2 There are hereby established the following charges for water service measured by quantity of water used, effective January 1, 2021:

RESIDENTIAL RATES INSIDE CITY LIMITS
$ 10.00 plus $ 9.50 per 1,000 gallons

RESIDENTIAL RATES OUTSIDE CITY LIMITS
$ 20.00 plus $ 13.00 per 1,000 gallons

COMMERCIAL RATES INSIDE CITY LIMITS
$ 20.00 plus $ 10.00 per 1,000 gallons

COMMERCIAL RATES OUTSIDE CITY LIMITS
$ 40.00 plus $ 14.00 per 1,000 gallons

INDUSTRIAL RATES INSIDE CITY LIMITS
$ 50.00 plus $ 10.50 per 1,000 gallons

INDUSTRIAL RATES OUTSIDE CITY LIMITS
$ 100.00 plus $ 15.00 per 1,000 gallons

SECTION 3 There will be an inflation adjustment of 3% or the Consumer Price Index (CPI), whichever is greater, will be applied annually to all rates and fees included in this ordinance on every October 1st.

SECTION 4 Minimum and Maximum Charges. The minimum charge for water service shall be the charges set out in Section, Paragraph (a) and (b). The maximum charge for water service shall be determined by the amount of water used.

SECTION 5 The provisions of this Ordinance shall not in any way affect the Wholesale Water Rate charged by the City, which rate is calculated annually as provided in the contracts between the City of Cullman and its wholesale customers.

SECTION 6 This Ordinance is adopted solely for the purpose of changing rates to be charged to retail water customers of the City of Cullman, and does not affect other provisions of Ordinance No. 1332 or provisions of other ordinances which have not been previously repealed.

SECTION 7 All ordinances or parts thereof which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8 This ordinance shall become effective immediately upon its adoption, approval and publication as provided by law.

ADOPTED BY THE CITY COUNCIL this the 9th day of November, 2020. /s/ Jenny G. Folsom - President of the City Council
ATTEST: /s/ Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 9th day of November, 2020. /s/ Woody Jacobs - Mayor



PB ADT BK 57 PG 422 - 11/09/2020 04:24 PM
Tammy Brown, Judge of Probate, Cullman County, AL

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN THE MATTER OF THE ADOPTION PETITION OF PAUL REUBEN SELF FOR THE ADOPTION OF

CASE NO AD 2020-084

J.P.H. A MINOR.
D.O.B. 6/22/2004

NOTICE OF PETITION FOR ADOPTION

TO: KNOWN OR UNKNOWN FATHER OF J.P.H., A MINOR CHILD BIOLOGICAL MOTHER, AMBER LEIGH SELF

The Petition for Adoption was filed in the Probate Court of Cullman County, Alabama by Paul Reuben Self, Petitioner. If you should contest this adoption, you must file a written response within Thirty (30) days from the date of the last notice of publication. Your response must be filed with Counsel for said petitioners, whose name and address are shown below, and with the Clerk of Probate Court, 500 2nd Avenue SW, Room 101, Cullman County, Alabama.

DONE THIS 9th DAY OF November, 2020.

Tammy Brown
TAMMY BROWN, JUDGE OF PROBATE
CULLMAN COUNTY, ALABAMA

Jerry Kilgo
Attorney for Petitioner
105 1st Ave NE, Ste G
Cullman, Alabama 35055

PB WIL BK 98 PG 618 - 11/02/2020 04:00 PM
Tammy Brown, Judge of Probate, Cullman County, AL

STATE OF ALABAMA * IN THE PROBATE COURT
*
CULLMAN COUNTY * CASE NO. PC2020-327

IN RE: THE ESTATE OF DONNIE L. SANDERS, SR., DECEASED.

NOTICE OF APPOINTMENT TO BE PUBLISHED BY PERSONAL REPRESENTATIVE

Letters Testamentary on the Estate of said deceased have been granted to Donnie L. Sanders, Jr. on the 2nd day of November, 2020, by the Hon. Tammy Brown, Judge of Probate of Cullman County. Notice is hereby given that all persons having claims against said estate are hereby required to present the same within the time allowed by law or the same will be barred.

Donnie L. Sanders, Jr.
Personal Representative

To the publisher of *The Cullman Tribune:*

Please publish the above notice three successive weeks in said newspaper.

Tammy Brown
Tammy Brown, Judge of Probate

Steven C. Smith
Attorney for the Estate
Smith & Smith, LLP
P. O. Box 398
Cullman, Al. 35056-0398
(256) 734-4721

PB MIN BK 191 PG 928 - 10/27/2020 09:31 AM
Tammy Brown, Judge of Probate, Cullman County, AL

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN RE: THE ESTATE OF MARK JOHN BETTERS, Deceased. * CASE NO PC-2020-190

NOTICE TO CREDITORS

Letters Administration having been granted to Ashley Betters Koh, as Personal Representatives of the Estate of Mark John Betters, Deceased, on the 27th day of October, 2020, by Tammy Brown, Probate Judge. NOTICE IS HEREBY GIVEN that all persons having claim against the said Estate are hereby required to present the same within the time allowed by law or the same will be barred.

Ashley Betters Koh
Personal Representative

Alex J. Chaney
Attorney for the Personal Representative
PO Box 1052
Cullman, Alabama 35056

TO: **The Publisher of The Cullman Tribune**

Please publish the foregoing notice once a week for three (3) consecutive weeks and send an Affidavit of Publication to the Judge of Probate.

Tammy Brown
TAMMY BROWN, JUDGE OF PROBATE
CULLMAN COUNTY, ALABAMA

PB WIL BK 98 PG 511 - 10/27/2020 09:13 AM
Tammy Brown, Judge of Probate, Cullman County, AL

STATE OF ALABAMA * IN THE PROBATE COURT
*
CULLMAN COUNTY * CASE NO. PC 2020-192

IN THE MATTER OF THE ESTATE OF BERNICE CHESSER, DECEASED.

NOTICE OF HEARING OF PETITION FOR PROBATE OF THE LAST WILL AND TESTAMENT OF BERNICE CHESSER

TO: JOHN CHESSER, RAYMOND KEITH CHESSER II, CANDINA CASEY, TOMMY MOODY and ANY KNOWN OR UNKNOWN OR INTERESTED PARTIES

The Petition of Deborah Jean Chesser Powers to admit to probate the Last Will and Testament of Bernice Chesser, deceased, has been set for hearing on the 20th day of November, 2020, at 9:30 a.m.

All persons in interest residing or being without the state are hereby given notice to appear and contest said petition if they think proper.

TO: PUBLISHER OF *The Cullman Tribune:*

Please publish the above notice three successive weeks in said newspaper.

Tammy Brown
Tammy Brown
Judge of Probate

Steven C. Smith
Smith & Smith, LLP
Attorneys for Petitioner
P.O. Box 398
Cullman, Alabama 35056-0398
256-734-4721

PB ADT BK 57 PG 18 - 11/02/2020 04:12 PM
Tammy Brown, Judge of Probate, Cullman County, AL

STATE OF ALABAMA * IN THE PROBATE COURT
COUNTY OF CULLMAN * CASE NO. AD2020-077

IN THE MATTER OF THE ADOPTION PETITION OF JOSEPH ANDREW DANIEL TO ADOPT E.M.V., a minor child.

NOTICE OF ADOPTION PROCEEDINGS

Notice to: ROBERTO VENLAZQUEZ, WHOSE WHEREABOUTS, RESIDENCE AND/OR ADDRESS IS UNKNOWN AND TO ANY UNKNOWN OR UNDISCLOSED FATHER OF E.M.V., WHOSE IDENTITY, WHEREABOUTS, RESIDENCE AND/OR ADDRESS IS UNKNOWN OR UNDISCLOSED

Please take notice that a Petition for Adoption of E.M.V., a minor child (born on June 21, 2009, to Jasmine Elizabeth Johns), was filed on the 29th day of October, 2020, in the Probate Court of Cullman County, Alabama, by Joseph Andrew Daniel, Petitioner. Please be advised should you intend to contest this adoption, you must file a written response within thirty (30) days of the date of the last publication herein with the Clerk of the said Probate Court of Cullman County, Alabama, 500 2nd Avenue SW, Cullman, Alabama, 35055.

DONE this 3rd day of November, 2020.

Tammy Brown
Tammy Brown
Judge of Probate

To: *THE CULLMAN TRIBUNE*

PLEASE PUBLISH ONCE A WEEK FOR FOUR SUCCESSIVE WEEKS.

Sherry H. Barrett
SMITH & SMITH, LLP
Attorneys for Petitioner
P.O. Box 398
Cullman, AL 35056-0398
256-734-4721 (telephone)