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– LOCAL GOVERNMENT –

Cullman council addresses traffic concerns on residential streets, updates wastewater policy



W.C. MANN/THE CULLMAN TRIBUNE

The Cullman City Council met at noon Monday, Jan. 11, 2021.

W.C. Mann
craig@cullmantribune.com

CULLMAN, Ala. – In an early session on Monday, the Cullman City Council passed a resolution adopting what it termed a "traffic calming policy."

According to the resolution:
"The purpose of this Policy is to create a safe environment for pedestrians and bicyclist in vehicular areas, attempt to reduce the vehicular travel speed and volume to an acceptable level on residential streets, reduce vehicular crash rate and severity, reduce cut-through vehicular traffic on residential streets, ensure overall safety and livability of residential neighborhoods, keep emergency vehicle access preserved at levels that meet national response standards and local requirements, and ensure that any traffic calming measure taken is designed and implemented in conformance with good engineering practices."

City Engineer Erika York told the council that the policy will create a mechanism for residents to report issues and request the installation of traffic control devices like stop signs and speed bumps. According to the resolution, residents will fill out an online PDF form and submit it via email to the City Engineering Department.

Wastewater ordinance amended
The council suspended rules of procedure to amend the city's wastewater ordinance, prohibiting the discharge of numerous materials into the wastewater system and creating penalties for those who do so.

According to the ordinance:
"A user may not discharge to the city's wastewater collection and treatment facilities any of the following:

(1) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the city's wastewater facilities or to the operation of the city's wastewater treatment facilities. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Prohibited material include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides and any other substances which the city, the state or EPA has notified the User is a fire hazard or a hazard to the system.

(2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: garbage with particles greater than one-half inch in any dimension, grease, animal guts or tissues, paunch manure, bones, hair, hides, or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, sheets, pillowcase, eggshells, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues from refining, or processing of fuel or lubricating oil, mud, glass grinding or polishing wastes.

(3) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with the other pollutants, to injure or interfere with any wastewater treatment process, constitutes a hazard to humans or animals, health, safety or the environment, create a toxic effect in the city's wastewater treatment facilities or receiving water, or to exceed the limitations set forth in a categorical pretreatment standard or requirement of this article, the Alabama Water Pollution Control Act, or the Federal Pretreatment Regulations.

(4) Toxic pollutants including pollutants identified pursuant to Section 307(a) of the Act, hazardous constituents or wastes under RCRA, hazardous substances under CERCLA, except as specifically authorized under this article, permit or other authorization issued by the city.

(5) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

(6) Any substances which may cause the city's wastewater treatment facilities effluent or any other product of the city's wastewater treatment facilities such as residues, sludge, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the city's wastewater treatment facilities cause the city's wastewater treatment facilities to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge used or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State Criteria applicable to the sludge management method being used.

(7) Any substance which will cause or has the reasonable potential to cause or contribute to an exceedance of any effluent limitation, exceedance or excursion of any water quality criteria or standard, or non-compliance with any condition set forth in the city's NPDES and/or state disposal system permit, receiving water quality standards, or any applicable Federal, state, or local law.

(8) Any pollutants released at a flow rate and/or pollutant concentration which alone or in conjunction with other » PAGE 3

Alabama rolls over Ohio State 52-24 to claim 18th national title in school history



UA ATHLETICS

The Alabama Crimson Tide hammered Ohio State 52-24 Monday night to capture this year's College Football Playoff National Championship.

LOCAL GOVERNMENT

Good Hope Council votes to purchase The Cotton Gin property



CHRISTY PERRY/THE CULLMAN TRIBUNE

Good Hope Mayor Jerry Bartlett is seen at Monday night's Good Hope City Council meeting. » PAGE 8

HEALTH

Cullman Regional establishes waiting list for Community COVID-19 Vaccination Clinics

Mary Beth Sellers
Cullman Regional

CULLMAN, Ala. – Cullman Regional has established a waiting list for any community members interested in receiving the COVID-19 vaccine. The form to join the waitlist can be completed online at cullmanregional.com/covidvaccine.

Completing the form is not a guarantee of an appointment as Cullman Regional has a limited supply of the vaccine.

If you join the waiting list, you will be contacted directly when an appointment is available. No walk-ins will be accepted. Cullman Regional is following the allocation plan outlined by the Alabama Department of Public Health. Information about additional vaccination locations is available on the ADPH website.

"We are actively working to get as many high-risk community members scheduled as possible," said Lindsey Dossey, VP of marketing. "The quickest way for anyone to get on the waitlist is by filling out the online form."

Alternatively, this form (https://cullmanregional.com/wp-content/uploads/2021/01/Community-Registration-Form.pdf) may be filled out and mailed to:

Cullman Regional
Attn: COVID VACCINE
PO Box 1108
Cullman, AL 35056

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CRIME

Arrests and incidents reported Jan. 11

Cullman Tribune staff
Contributor

CULLMAN, Ala. – Below are the arrests and incidents reported Jan. 11, 2021. All persons are innocent until proven guilty.

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

CULLMAN COUNTY SHERIFF'S OFFICE
INCIDENTS
Jan. 7
• domestic violence, possession of drug paraphernalia; CR 1502
• domestic violence; CR 1191
• domestic violence; Scott Drive
• harassment; CR 89
• harassment; CR 1559
• possession of drug paraphernalia; School House Road
• unlawful possession of marijuana; I-65 S

Jan. 8
• theft of property; CR 437
• unlawful possession of a controlled substance, possession of drug paraphernalia; CR 1339
• unlawful possession of marijuana; Hwy. 91
• harassment; CR 1763
• theft of property; CR 1141
• unlawful possession of a controlled substance, unlawful possession of marijuana; CR 438
• theft of property; CR 1635
• theft of property; CR 1462
• domestic violence; CR 1451
• unlawful possession of a controlled substance; Trimble Road
• burglary, receiving stolen property, unlawful possession of a controlled substance, possession of drug paraphernalia; CR 625

Jan. 9
• criminal mischief; CR 96
• disorderly conduct; CR 431
• harassment; CR 396
• theft of property; CR 109
• violation of a protection order; CR 240

Jan. 10
• unauthorized use of a motor vehicle; Hwy. 278 E
• trespassing; CR 1373
• unlawful possession of a controlled substance, possession of drug paraphernalia; Hwy. 69 S
• domestic violence; Wilhite Road
• unlawful possession of marijuana; CR 437

ARRESTS
Jan. 7
Fanning, Ricky Dean, 29
• third-degree domestic violence- menacing

Haag, Stephen Anthony, 31
• probation violation-first-degree theft of property

Moon, Corey Lynn, 31
• third-degree receiving stolen property

Thomson, Evan Gordon, 21
• second-degree unlawful possession of marijuana

Wilson, Tiffany Bryant, 22
• possession of drug paraphernalia

Jan. 8-10
Alexander, Deandre Maurice, 31
• public intoxication

Brasher, Patricia Beth, 57
• third-degree domestic violence- third-degree criminal mischief

Brooks, Raleigh Winston M., 49
• FTA- DUI- alcohol and controlled substance
• FTA- driving while revoked

Calvert, William Blake, 32
• unlawful possession of a controlled substance
• second-degree unlawful possession of marijuana

Davis, Jeremy James, 40
• FTA- unauthorized use of a motor vehicle

Echols, Noah Christian, 22
• probation revoked-third-degree burglary

Edgil, Billy Ray, 58
• fourth-degree theft of property

Fowler, Jason Terry, 30
• FTA- carrying a pistol without a license
• FTA- possession of drug paraphernalia
• FTA- illegal possession of prescription medicine
• FTA- second-degree unlawful possession of marijuana
• FTA- unlawful possession of a controlled substance (2 counts)

Haynes, Benjamin Michael, 35
• DUI- .08 BAC or greater
• second-degree domestic violence
• illegal possession of prescription medicine

Hays, Donna Parmer, 59
• DUI- .08 BAC or greater

Jones, Katherine Nicole, 29
• third-degree burglary

Lay, Rachel Lynn, 29
• motion to revoke bond-first-degree criminal mischief

Neal, Eric Scott, 44
• third-degree criminal trespassing
• illegal possession of alcohol in a dry county

Pickett, Samuel David, 51
• third-degree criminal possession of a forged instrument
• third-degree forgery

Preston, Jaeda Michelle, 35
• possession of drug paraphernalia

Randall, Brenton Richard, 30
• second-degree unlawful possession of marijuana

Self, Jennifer Lashay, 28
• DUI- controlled substance
• second-degree promoting prison contraband
• unlawful possession of a controlled substance (4 counts)
• second-degree unlawful possession of marijuana

Sheets, Vickie Lynn, 57
• disorderly conduct
• DUI- influence of alcohol
• open container in vehicle

Sloan, Christopher Ray, 39
• FTA- DUI- controlled substance

Speake, Larry Richard, 59
• FTA- driving while revoked

Stover, Maygan Ruth, 31
• harassing communications
• fourth-degree theft of property

White, Bobby Allen, 36
• third-degree burglary
• possession of drug paraphernalia
• third-degree receiving stolen property
• unlawful possession of a controlled substance

Whittle, Robin Marie, 55
• possession of drug paraphernalia
• unlawful possession of a controlled substance

Wilson, Robert Douglas, 56
• obscuring ID of vehicle
• possession of drug paraphernalia
• unlawful possession of a controlled substance
• unlawful sale/possession of synthetic urine

CULLMAN POLICE DEPARTMENT
INCIDENTS
Jan. 5
• third-degree domestic violence; person; Kim Lane SE

Jan. 8
• first-degree theft of property; person; 3rd St. NE; '07 Chevrolet Tahoe
• fourth-degree theft of property, third-degree criminal trespassing; Wal-Mart; Hwy. 157; general merchandise; $19
• fourth-degree theft of property, third-degree criminal trespassing; Wal-Mart; Hwy. 157; general merchandise; $227
• fourth-degree theft of property; Wal-Mart; Hwy. 157; general merchandise; $27
• fourth-degree theft of property; Wal-Mart; Hwy. 157; general merchandise; $5
• fourth-degree theft of property; The Foundry; 2nd Ave. SW; miscellaneous; $35

Jan. 9
• fourth-degree theft of property; The Foundry; 2nd Ave. SW; miscellaneous; $40
• harassment; person; 2nd Ave. SW

Jan. 10
• fourth-degree theft of property; The Foundry; 2nd Ave. SW; miscellaneous; $15
• fourth-degree theft of property; The Foundry; 2nd Ave. SW; miscellaneous; $50

ARRESTS
Jan. 8
Balduf Jr., Lawrence R., 40
• third-degree criminal trespassing

Brooks, Raleigh W., 49
• FTA- attempting to elude
• FTA- driving while revoked
• FTA- expired tag
• FTA- insurance violation

Husted, Lacy H., 36
• second-degree unlawful possession of marijuana
• possession of drug paraphernalia

Fowler, Jason T., 30
• FTA- fourth-degree receiving stolen property
• FTA- fourth-degree theft of property

Tanner Jr., James I., 28
• FTA- fourth-degree theft of property
• FTA- insurance violation (2 counts)
• FTA- driving without a license (2 counts)
• FTA- driving while suspended

Chappell, Sonya O., 27
• FTA- third-degree theft of property (2 counts)

Hines, Kara K., 39
• fourth-degree theft of property

Martin, Kasey K., 49
• fourth-degree theft of property

Jan. 9
Leonard, Billy R., 54
• fourth-degree theft of property

White, Phillip J., 60
• FTA- fourth-degree theft of property (2 counts)
• FTA- third-degree criminal trespassing
• FTA- insurance violation
• FTA- improper lane usage
• FTA- expired tag

Mitchell, Gary D., 49
• second-degree unlawful possession of marijuana
• possession of drug paraphernalia

Jan. 10
Stutts, Kristi D., 39
• first-degree theft of property

McAlpin, John B., 53
• obstructing governmental operations

Bakely, Curtis E., 32
• public intoxication
• possession of drug paraphernalia

Fields, Ivan J., 40
• fourth-degree theft of property

Nicholson, Keith A., 53
• second-degree unlawful possession of marijuana
• unlawful possession of a controlled substance
• possession of drug paraphernalia
• second-degree promoting prison contraband

Orear, Melissa J., 46
• DUI
• resisting arrest

Stansell, Tori M., 20
• fourth-degree theft of property

HANCEVILLE POLICE DEPARTMENT
No incidents or arrests reported.

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

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COMMUNITY CALENDAR

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

ALDOT TRAFFIC ALERT: U.S. 231 southbound lane to be closed Monday-Friday, Jan. 11-15
The Alabama Department of Transportation advises motorists that the inside southbound lane of U.S. 231 at the recently-constructed bridges on Brindlee Mountain in Morgan County will be closed next week for guardrail work. The closure will begin about 7 a.m. Monday. The lane is anticipated to reopen sometime Friday. Please expect minor delays. Reduce speed and be prepared to merge.

PUBLIC NOTICE from Cullman County District Judge Chad Floyd
The traffic call dockets that were scheduled for Wednesday, Jan. 6, 2021 and Jan. 13, 2021 beginning at 8:30 a.m., 9:30 a.m. and 10:30 a.m. have been combined with the March 3, 2021 traffic call docket.

PUBLIC NOTICE from Cullman County Courts
Cullman County jury trials currently scheduled for Jan. 25, 2021 have been postponed until February.... Cullman Circuit and District courts will remain open and motions may still be filed in all cases either electronically or directly through the Circuit Court Clerk's Office. Virtual court hearings will be held for the remainder of January as a substitute for in-person proceedings, where feasible. In-person judicial proceedings will be held utilizing previously adopted COVID-19 safety measures, in cases where it is necessary to provide immediate relief in emergency circumstances and for all court hearings deemed so essential that a postponement is not appropriate.

PUBLIC NOTICE from the City of Cullman Municipal Court
All cases that were set for Jan. 6, 2021 have been reset to Jan. 27, 2021 at 3 p.m. All cases that were set for Jan. 7, 2021 have been reset to Jan. 28, 2021 at 3 p.m. Reset court date notices will be mailed to each defendant. It is imperative that defendants ensure we have the correct address on file. To update your address, please call the court office at 256-775-7136.

PUBLIC NOTICE from the Cullman County Commission
Cullman County offices will be closed Jan. 18, 2021 in observance of Robert E. Lee and Martin Luther King, Jr.'s birthdays. Sanitation will run as scheduled.

Alcoholics Anonymous
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
• 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 ANOINTED PRAYER!
• Classes Wednesdays at 7 p.m.
• Sundays at 10 a.m. adult, youth and children's classes; 11 a.m. children's classes; praise and worship and message by Pastor Bobby Dodd
• Sunday, Jan. 10, Message-"Wake Up the Dry Bones" by Pastor Bobby Dodd
• Sunday, Jan. 17, The group PURPOSE will lead praise and worship and bring the message.

Free Community Dinner at Center Hill Baptist Church
• 5-6 p.m.- The first Wednesday of every month we will be offering a Free Community Dinner. Church members, community members, neighbors and friends are welcome. This will be takeout only. Please message or comment with how many plates you will need to help us prepare enough food for everyone. RSVP at http://bit.ly/centerhill.
• 13108 County Road 747, Hanceville, AL 35077

Miércoles de Despensas
• 6-7 p.m. ler. miercoles del mes, En Su Tierra Cullman FUMC
• Despensas para la comunidad. No requiere ID. Entrega en su vehículo. Por favor use mascarilla.

Colony Town Council Meeting
Tuesday, Jan. 12 at 5 p.m. at Colony Town Hall

Vinemont Town Council Meeting
Tuesday, Jan. 12 at 6 p.m. at Vinemont Town Hall

Cullman Education Retirees Association Meeting
• Thursday, Jan. 14 at 11 a.m. at Stone Bridge Farms, 281 County Road 717, Cullman
• Our program will be presented by Kelly Smith, personal financial counselor. Following our program, we will have a short business meeting and then enjoy lunch together. Remember to wear your mask and practice social distancing.

Hanceville City Council Meeting
Thursday, Jan. 14 at 5:30 p.m. at Hanceville City Hall

Dodge City Town Council Meeting
Thursday, Jan. 14 at 6 p.m. at Dodge City Town Hall

Curbside Swamp John's Dinner
• Friday, Jan. 15 from 4-7 p.m. at East Side Baptist Church, 1111 Third St. SE, Cullman
• This is a fundraiser for our youth department and all proceeds go toward future ministry events. Curbside pickup only. Each $12 plate will also include a drink and a dessert.

COVID-19 BY THE NUMBERS

Monday, Jan. 11, 2021 COVID-19 update from the Alabama Department of Public Health's COVID-19 Data and Surveillance Dashboard

• Total confirmed cases in AL: 323,045 (+1,760 since yesterday)
• Probable cases in AL: 80,955 (+340 since yesterday)
• Total confirmed deaths in AL: 4,593 (+6 since yesterday)
• Probable deaths in AL: 754
• Total confirmed cases in Cullman Co.: 5,397 (+15 since yesterday)
• Probable cases in Cullman Co.: 2,322 (+2 since yesterday)
• Total confirmed deaths in Cullman Co.: 62 (+0 since yesterday)
• Probable deaths in Cullman Co.: 18
• Total tested in Cullman Co.: 32,796
• Total tested in the last 14 days in Cullman Co.: 4,624
• Cases in the last 14 days in Cullman Co.: 984
• Total tested in Alabama: 1,972,863
• Cases in the last 14 days in Alabama: 57,952
• Total tested in the last 14 days in Alabama: 259,572
• Currently hospitalized in Alabama: 3,088
• Cumulative no. of hospitalizations in Alabama: 37,587
• Presumed recoveries in Alabama (reported weekly): 211,684

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

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Cullman (from Front)

discharges causes interference to the city's wastewater treatment facilities.

(9) Any wastewater containing any radioactive wastes or isotopes except in compliance with applicable federal, state, and local law and regulations and as specifically authorized by the city.

(10) Any wastewater which causes a hazard to human life or creates a public nuisance.

(11) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, condensate, deionized water, cooling water and unpolluted industrial wastewater, unless specifically authorized by the city.

(12) Medical wastes or wastewater, except as specifically authorized by the city.

(13) Wastewater causing, alone or in conjunction with other sources, the POTW's effluent to fail a toxicity text.

(14) Wastes prohibited by this section shall be processed or stored in such a manner that these wastes could not be discharged to the city's wastewater system. All floor drains located in process or materials storage areas must discharge to the user's pretreatment facility before connecting with the city's wastewater system.

(15) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye or ink wastes, and vegetable tanning solutions.

(16) Any wastewater having a temperature which will inhibit biological in the city's wastewater treatment plant resulting in interference, but in no case wastewater with a temperature and /or in such quantities that the temperature at the POTW exceeds 40°C (104°F).

(17) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(18) Any wastewater or wastes containing a toxic or poisonous substance(s) or any other material in sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, or crate any hazard in the receiving waters of the sewage treatment plant, and without proper pretreatment and written approval of the council.

(19) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create public nuisance or hazard to life or are sufficient to prevent entry into the sewer for maintenance and repair.

(20) Any wastewater or wastes having an objectionable color which is not removable in the existing sewage treatment plant process.

(21) Any long half-life (over 100 days) of toxic radioactive isotopes, without special permit.

The council also gave first readings to two ordinances concerning water and wastewater fees.

Water fees
The proposed water fee ordinance set forth the following fees for connections, reconnections and other services:

a) Reconnection Fee $35

b) Reconnection Fees (After Hours) $60

c) Lock Replacement Fee $75

d) Replace Check Valve $100 plus cost of repair materials

e) Replace Curb Stop $150 plus cost of repair materials

f) Locate Service Line $500 plus cost of repair materials

g) Raise or Lower Meter $500 plus cost of repair materials

h) Unauthorized Water Use $500 plus cost of repair materials

i) Damaged Service $500 plus cost of repair materials

j) 3/4" Meter Installation with Box and Lid $800 plus cost of repair materials

k) 1" Meter Installation with Box and Lid $1,000 plus cost of repair materials

l) 2" Vault Installation $2,500 minimum plus cost of repair materials

m) 2" Meter Installation $3,500 minimum plus cost of repair materials

n) Fire Taps Fees will be determined on a case by case basis.

o) Account Transfer Fee within System $25

p) Service Fee for 3/4" water meter $100

q) Service Fee for 1" water meter $200

r) Service Fee for any water meter above 1" $300

The proposed ordinance also set fees for connection to the city's water system, based on water line diameter. For residences within 1.5 miles of the interstate, extra procedures will double the listed fees.

- 3/4" $500
- 1" $1,500
- 2" $5,000
- 3" $11,000
- 4" and above $17,500

Wastewater fees
The proposed wastewater fee ordinance set forth the following fees for connections, reconnections and other services:

a) Cleanout Cap Repair $30

b) Repair Manhole Ring and Lid $500 plus cost of repair materials

c) Unauthorized Sewer Use $500 plus cost of repair materials

d) Damaged Service $500 plus cost of repair materials

e) 2" Pressure Tap $720 plus cost of repair materials

f) 4" Sewer Tap $720 plus cost of repair materials

g) 4" Pressure Tap $720 plus cost of repair materials

h) 6" Sewer Tap $3,250 plus cost of repair materials

i) 6" Pressure Tap $3,250 plus cost of repair materials

j) 8" Sewer Tap $5,520 plus cost of repair materials

k) 8" Pressure Tap $5,520 plus cost of repair materials

l) 4" Relocate Sewer Service $1,440 plus cost of repair materials

m) 6" Relocate Sewer Service $6,500 plus cost of repair materials

n) 8" Relocate Sewer Service $11,040 plus cost of repair materials

o) Account Transfer Fee within System $25

p) Service Fee for 3/4" water meter $100

q) Service Fee for 1" water meter $200

r) Service Fee for any water meter above 1" $300

The proposed ordinance also set fees for connection to the city's water system, based on water line diameter and equal to the connection fees in the proposed water fee ordinance.

Other council business
The council also approved resolutions to:

- authorize an agreement with ALDOT for cooperative maintenance for a Highway 157 access drive near the retail district near the Highway 157/Interstate 65 interchange

- amend the City of Cullman position control detail for the new garbage collection system, deleting two Equipment Operator II positions and adding two Equipment Operator III positions and an Administrative Assistant position

- enter into a contract with St. John & Associates for Streetscape Improvements on Second Avenue Northeast from Arnold Street Northeast to Oak Drive Northeast. Improvements will be similar to those done in other downtown areas.

The council set public hearings at its Feb. 8, 2020 meeting to:
- rezone property on Beech Avenue Southwest (near the Cullman County Sheriff's Office) from M-2 Manufacturing to B-2 Business

- amend the zoning ordinance for the City of Cullman

- rezone property on Bolte Road from R-1 Residential to Planned Unit Development (PR-1)

The council also gave first readings to multiple annexation requests which will be considered at the next council meeting.

The Cullman City Council meets next at 7 p.m. Monday, Jan. 25, 2021 in the Cullman City Hall auditorium. The public is invited to attend, subject to occupancy limitations.

Obituary Announcements: Jan. 12

Pauline "Polly" Jones, 96, of Cullman
Funeral services for Pauline "Polly" Jones, 96, of Cullman were at Springhill Baptist Church Jan. 11, 2020 at 11 a.m. Ken Dees and Tim Aris officiated. Cullman Heritage Funeral Home was in charge of arrangements. Mrs. Jones passed away Friday, Jan. 8, 2021 at her residence. She was born Nov. 27, 1924 in Cullman, Alabama to Cicero and Lavada Stevens. She was preceded in death by her parents; husband Warren G. "Dub" Jones; daughter Judy Jones; and sister Lonnie Marty. Survivors include her son Doug (Ferrell) Jones; grandchildren Michelle (Bruce) Payne and Michael (Brooke) Jones; great-grandchildren Daniel Payne (Anna Wills), Joshua Payne, Matthew Payne, Katherine Jones, Hannah Jones, and Caroline Jones; and a host of nieces, nephews, family, and friends.

Larry Wayne Hagood, 72, of Cullman
Funeral services for Larry Wayne Hagood, 72, of Cullman, Alabama were at 2 p.m. Saturday, Jan. 9, 2021 at the Cullman Funeral Home Chapel. Reverend Mark Long officiated. Interment followed at the Welcome Baptist Cemetery. Visitation preceded the service from noon-2 p.m. Saturday. Cullman Funeral Home is honored to serve the Hagood family. Mr. Hagood was born July 18, 1948 to Ervin Lee and Mildred Drake Hagood. He passed from this life Jan. 7, 2021. He was well known in the Fairview community as a man who loved country music, Alabama Football and family. Mr. Hagood was preceded in death by his parents Ervin Lee and Mildred Drake Hagood and sister Joyce Helphand. He is survived by his wife of 40 years, Arvella Hagood; daughters Jennifer Hagood and Ashley (Austin) Kilgore; brother Billy (Reba) Hagood; sister Sharon White; grandchildren Karyhs Carnes, Adalynn Bowers, Nevaeh Kilgore, Lynken Kilgore, and Cash Barnett; and a host of family and friends. Family and friends may sign the online guestbook at www.cullmanfuneralhome.com.

Edward O. McCormick, 86, of Falkville
Funeral services for Edward O. McCormick, 86, of Falkville will be at 2 p.m. Wednesday, Jan. 13, 2021 at Cullman Funeral Home Chapel with interment in Roundtop Cemetery; Rev. Steve Brown officiating. Visitation will be Wednesday at the funeral home from noon-2 p.m. Cullman Funeral Home is in charge of the arrangements. Mr. McCormick passed away Friday, Jan. 8, 2021 at his residence. He was born Oct. 26, 1934 to Robert Henry and Lula Smith McCormick. He was a member of West Point Baptist Church. He was a 32nd degree Scottish Rite Mason. He was a wonderful golfer, winning many tournaments. Ed lived a remarkable life, had a beautiful testimony and was a follower of Christ. He was preceded in death by his parents and four brothers. Survivors include his wife of 60 years, Martha McCormick; sons Mike (Beth) McCormick of GA and Patrick Darin (Christy) McCormick of AL; daughter Toni (Tim) Worlitz of TX; sister Lena Klein of MI; grandchildren Jason (Lindsey) Worlitz, Brian (Hannah) Worlitz, Austin McCormick, and Lauren McCormick; great-granddaughter Lily Worlitz; and a host of nieces, nephews, family, and friends. Friends may sign the online guestbook at www.cullmanfuneralhome.com.

John Slatsky
John Slatsky grew up in the small mining town of Brookside, Alabama where he learned the values of God, family, and hard work. These would become the tenets upon which he would build the rest of his life. He grew up as the next to youngest of five children during the Great Depression. His family meant the world to him, and he remained close to his siblings throughout his life. A two-time war veteran, he served the country he loved so much in both World War II and the Korean War. Upon his return to the States as a civilian, he embarked upon a career as a pharmacist at UAB and Children's Hospital where he was well known for his commitment to excellence and his dedication to his patients and the families that he served. When not at the hospital, he could often be found seeking time with nature as he fished the waters of Lake George. His orange MG with its boat trailer parked alongside the bank was a familiar sight to many as they drove by, signaling to all that John had gone fishing. The biggest catch of his life, though, was when he met his wife, Marion, at Children's Hospital where they both worked. For over 52 years they celebrated a union of love and commitment to family. An avid gardener, John was always at one with the soil, often working tirelessly underneath the hot sun as his loyal dog Buddy watched from beneath the shade. Perhaps his favorite way of showing his love for his friends and family was in bestowing upon them the fruits of his labor. No one ever went hungry as long as John had a garden. His greatest gift, however, was of himself to his family. There was never a more dedicated or loving husband and father than John Slatsky, as evidenced by those surrounding him with love as he passed from this world. We know that he is now walking some green and sunny path with his best friend Buddy by his side and will be waiting to walk with us again one day. His was a life full of purpose, dedication, and love. Well done, faithful servant. He is survived by his wife Marion Albright Slatsky; his daughters Laura Whitman Sims (Bernie) and Beth Slatsky; his son Marcus Whitman (Paige); his granddaughters Whitney Sims Cummins (husband Nick and daughters Emma and Addison), Stephanie Sims Bailey (Adam), and Kathryn Whitman; and his sister Anna Slatsky Jones. He is preceded in death by his mother Anna Pavlik Slatsky and his father Michael Slatsky, as well as his siblings Michael Slatsky, Jr., Joe Slatsky, and Marie Slatsky Daughton. A graveside service at Hamby's Chapel United Methodist Church Cemetery will be held at a later date. In lieu of flowers, the family requests that donations be made to the Cystic Fibrosis Foundation (www.cff.org/give-monthly/).

Barbara Speegle Tubbs, 86, of Cullman
Graveside services for Barbara Tubbs, 86, of Cullman were at 2:30 p.m. Monday, Jan. 11, 2021 at Bethsadia Cemetery. Cullman Heritage Funeral Home was in charge of arrangements. Mrs. Tubbs passed away Saturday, Jan. 9, 2021 at Cullman Regional Medical Center. She was born July 18, 1934 in Cullman, AL to Joseph and Florence Vickery Speegle. She was preceded in death by her parents; husband Dwight Tubbs; and son Kenny Tubbs. Survivors include her sons Dwight (Rhonda) Tubbs, Jr., Steven Tubbs, and Greg (Kay) Tubbs; daughter Liz (Brad) Barrontine; 10 grandchildren; seven great-grandchildren; and special friend Dave Gratz.

Linda Kaye Jones, 69, of Logan
Funeral services for Linda Kaye Jones, 69, of Logan will be at 2 p.m. Tuesday, Jan. 12, 2021 at Cullman Funeral Home Chapel with interment in Springhill Baptist Cemetery on Wednesday; Rev. Steve Rodgers officiating. Visitation will be from 1-2 p.m. prior to the service. Cullman Funeral Home is in charge of the arrangements. Mrs. Jones passed away Friday, Jan. 9, 2021 at her residence. She was born Sept. 10, 1951 to Harold Ray and Mildred Mickle Phillips. She was preceded in death by her father. Survivors include her mother; her husband of 49 years, Coy Jones; sons Brett (Kristi) Jones and Joseph Jones; brother Roger Phillips; sisters Brenda (Michael) Freeman and Janice Holloway; grandchildren Kalli Jones and Kara Jones; nieces, nephews, family and friends. Friends may sign the online guestbook at www.cullmanfuneralhome.com.

Dennis Earl Richardson, 69, of Cullman
Dennis Earl Richardson, 69, of Cullman passed away Friday, Jan. 8, 2021 at Cullman Regional Medical Center. He was born Oct. 6, 1951 to Raymond and Bessie Lee Richardson. Cullman Heritage Funeral Home is assisting the family. He is preceded in death by his parents; sisters Charlotte Davis and Linda Ward; and brothers Jerry Richardson and Charles Richardson. Survivors include his daughters Bridget (Tony Mosley) Richardson; grandchildren Angel Folger and Bryant Atkins; sister Barbara (Lewis) Hayes; brother Bruce Richardson; special friend Lila Richardson; special caregivers Scott and Myra Richardson; and his beloved dog JD. There will no services at this time.

Jamie Lynn deGraaf, 50, of Cullman
Funeral services for Jamie deGraaf, 50, of Cullman will be at 1 p.m. Wednesday, Jan. 13, 2021 at Cullman Heritage Funeral Home with burial at Cullman City Cemetery. Cullman Heritage Funeral Home is in charge of arrangements. Ms. deGraaf passed away Saturday, Jan. 9, 2021 at her residence. She was born Oct. 31, 1970. (She did not have COVID-19.) Survivors include her mother Phyllis Hain; stepfather Dr. Robert Hain; daughter Lanee Michelle DeGraaf; son Mason Timothy Naler; grandchildren Marriah, Jasmine, and Jaxson; brother Nathan (Yolanda) Degraaf; niece and nephew Matilda Degraaf and Ty Degraaf; and many aunts, uncles, cousins, and friends. There will be a private family visitation.

Billy Wayne Kilgore, Sr., 78, of Cullman
Funeral services for Billy Wayne Kilgore, Sr., 78, of Cullman will be at 11 a.m. Wednesday, Jan. 13, 2021 at the Cullman Funeral Home Chapel. A visitation will precede the service from 9-11 a.m. Reverend Steve Rodgers will officiate. The interment will follow in the Mt. Vernon Primitive Baptist Cemetery. Cullman Funeral Home is honored to serve the Kilgore family. Mr. Kilgore was born March 29, 1942 to Toral and Lois Duckett Kilgore. He was a Sunday school teacher and member of Brickyard Baptist Church. He loved being outside and traveling. He was preceded in death by his parents, brothers Junior Kilgore and Lelton Kilgore, and sister Wilma Guess. Mr. Kilgore is survived by his wife Donna Kilgore; sons Billy Wayne Kilgore, Jr., Jeff (Denise) Kilgore, and Pete (Malissa) Kilgore; grandchildren Krystal (Mitch) Humphryes, Tina (Cody) Harding, Tonya (Eric) Tolbert, Scott (Brittany) Kilgore, Brandon (Aimee) Kilgore, and Latasha Kilgore; great-grandchildren Devan Humphryes, Lacy Humphryes, Audrey Harding, Sam Harding, Mason Harding, Ella Tolbert, Cody Kilgore, Alaynna Kilgore, Brantley Kilgore, Baylee Kilgore, and Allie Kilgore; and a host of family and friends. Family is requiring that all who attend wear a mask. Family and friends may sign the online guestbook at www.cullmanfuneralhome.com.

Emmett Seimon Blocher, Jr., 72, of Cullman
Memorial services for Mr. Emmett Seimon Blocher, Jr., 72, of Cullman will be held Saturday, Jan. 23, 2021 at 1 p.m. at Christ Covenant Presbyterian Church. Mr. Blocher passed from this life Jan. 7, 2021 at the Cullman Regional Medical Center. He was born March 12, 1948 to Emmett Seimon, Sr. and Rosalind Berniece Gill Blocher. Cullman Funeral Home is honored to serve the Blocher family. He was preceded in death by his parents; sister Carol Delk; and brother-in-law Jerry Delk. Mr. Blocher is survived by his wife of 46 years, Marcia Susan Blandenburg Blocher; daughter Natalie Blocher; brother Maurice (Lisa) Maurizi; niece Corey Delk (Doug) Riccardi and their children, Matthew, Meredith and Marshall; nephew Cobey Delk and daughter Riley; grandchildren Desmond Cox and Ava Cox; extended family in Indiana; his loyal employees at Blocher Company, Inc.; and a host of friends. In lieu of flowers, the family requests donations be made to Christ Covenant Church or your favorite charity. Family and friends may sign the online guestbook at www.cullmanfuneralhome.com.

June Bush Tidwell, 87, of Arley
June Bush Tidwell, 87, of Arley entered into rest Monday, Jan. 11, 2021 at her residence surrounded by her loving family. Mrs. Tidwell was born Nov. 8, 1933 in Jasper, Alabama. June was a member of Arley First Baptist Church and was a former Sunday school teacher. She loved her family, especially her grandchildren and great-grandchildren, loved teaching at Meek, Addison and Walker College and loved her friends. Due to her love of learning and her desire to make it available to all people, the family asks in lieu of flowers, donations be made to Arley Public Library at PO Box 146, Arley, AL 35541 or The RISE Center at Addison School at PO Box 240, Addison, AL 35540. A graveside service will be Tuesday, Jan. 12, 2021 at 2 p.m. at Houston United Methodist Cemetery. Dr. Roger White will officiate. June is survived by her daughter Cassandra T. Tingle; grandchildren Cassandra June Hearn and her husband Dexter, Larry Thompson and his wife Amber, and Sarah Beth Waldrep and her husband Jacob; great-grandchildren Zachary Hearn and Zoe Hearn; brothers Newman Bush and his wife Gail and Fred Bush and his wife Camille; and a host of family and friends. She was preceded in death by her husband Wayne L. Tidwell; daughter Debra Thompson; son-in-law Paul Thompson; an infant son; and parents F.C. and Lorene Bush.

Vonda Lee Holmes, 87, of Cullman
Mrs. Vonda Lee Holmes, 87, of Cullman, Alabama passed away Saturday, Jan. 9, 2021. Vonda was born Oct. 17, 1933 in Cullman, Alabama. Mrs. Holmes is survived by son Craig Holmes. Mrs. Holmes was preceded in death by her husband of 44 years, A.P. (Pete) Holmes and parents Ferm and Lena Christian Chambers. Mrs. Holmes was a member of Fairview First United Methodist Church where she served the church on many committees, Parsonage Treasury, nominating committee and PPRC on several occasions. She graduated from Fairview High School, St. Bernard College, received her master's from Auburn University, and her Advanced Degree in Education from University of Alabama-Birmingham (UAB). She taught school in several school systems in Alabama and retired after 30 years. A memorial service will be announced at a later time. Fond memories and expressions of sympathy may be shared at www.mossservicefh.com for the Holmes family.

Roy Alfred Crawford, 86, of Cullman
Mr. Roy Alfred Crawford of Cullman, Alabama passed away Jan. 11, 2021 at the age of 86. He was born in Lineville, Alabama Feb. 12, 1934 to Willy and Rosy Yancy Crawford. He is preceded in death by his parents, daughter Debera Norman, and son Barry Thweatt. Funeral services are Wednesday, Jan. 13, 2021 at 2 p.m. at Moss Funeral Home Chapel with Bro. Sonny Tucker officiating. Interment will follow services in Chances Crossroads Cemetery. Survivors are wife Nancy Price Crawford; sons Charles (Samantha) Crawford, Darryl (Cindy) Thweatt, Paul (Bonnie) Thweatt, and Roy Jr. (Sarah) Crawford; sisters Lilly Jenkins, Effie Mulkey, and Ann Mulkey; brothers Marion Crawford, Leon Crawford, Dixon Crawford, and Clarence Crawford; four grandchildren and; and six great-grandchildren. Please share memories and condolences with the family at www.mossservicefh.com. Moss Service Funeral Home directing.

Dorothy Marie Edwards, 86, of Baileyton
Funeral service and visitation for Dorothy Marie Edwards, 86, of Baileyton will be at 2 p.m. Thursday, Jan. 14, 2021 at Cullman Funeral Home Chapel with interment in Mt. Vernon Primitive Baptist Cemetery; Rev. Victor Quick will officiating. Cullman Funeral Home is in charge of the arrangements. Mrs. Edwards passed away Jan. 10, 2021 at Cullman Regional Hospital. She was born Feb. 8, 1934 to Melvin and Clittie I. Smith Dison. She was preceded in death by her parents; her husband Donald F. Edwards; brothers and sisters. Survivors include her daughters Rebecca (Brent) Jarmon, Donna (Gary) Johnson, and Rhonda (Victor) Quick; brother Lonnie Dison; grandchildren Phillip (Heather) Jarmon, Holly (Jeremy) Kelley, Jeff (Jerrica) Johnson, Nickolas (Heather) Johnson, Kerry Johnson, Shannon (Savanna) Johnson, Austin Johnson, Jorden (Ethan) Flack, and Jacob (Amanda) Quick; great-grandchildren Presley, Elli, Ensley, Emerson, Elijah, and Casen; nieces, nephews, family and friends. Friends may sign the online guestbook at www.cullmanfuneralhome.com.

Arzelle Danley, 90, of Cullman
Graveside services for Arzelle Danley, 90, of Cullman, will be at 2:30 p.m. Thursday, Jan. 14, 2021 at Cullman Memory Gardens with Rev. Don Froelich and Bro. Randy Milligan officiating; interment in Cullman Memory Gardens. Visitation will be from 1-2 p.m. Thursday, Jan. 14, 2021 at Cullman Heritage Funeral Home. Cullman Heritage Funeral Home is in charge of arrangements. Mrs. Danley passed away Sunday, Jan. 10, 2021 at Cullman Regional. She was born Dec. 22, 1930 to Waymon and Evie Stapp. She was preceded in death by her parents; daughter Tammy Carter; and one great-grandchild. Survivors include her husband Douglas Danley; son Terry (Donna) Rainey; daughters Jayne Rainey, Robyn (Jerry) Johnson, and Vanessa (Paul) VanGilder; son Patrick Danley; 10 grandchildren; five great-grandchildren; four great-great-grandchildren; sister Retha (Buddy) Taylor; and a host of nieces, nephews, family, and friends.

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ORDINANCE NUMBER 2020-41
TO AMEND ORDINANCE NO. 2020-25 REGULATIONS FOR SMALL CELL TECHNOLOGY FACILITIES IN THE CITY OF CULLMAN, ALABAMA

WHEREAS, the City Council needs to amend its Small Cell Technology Ordinance; and
WHEREAS, The City Council of the City of Cullman, Alabama seeks to facilitate the availability of reliable, personal wireless communication services for its citizens and the public by permitting the placement of Small Cell Technology Facilities and associated Support Structures along the Rights-Of-Way, public property, and on private properties in the City; and
WHEREAS, the installation, expansion, and maintenance of Small Cell Technology Facilities and associated Structures on or along the Rights-Of-Way and on private properties might have significant impact upon: (1) the aesthetic values and historical character of the City; (2) safe use and passage on or along the Rights-of-Way by the public; and (3) properties and property values in the City in areas where such Structures are placed; and
WHEREAS, the Federal Telecommunications Act of 1996 (the "Act") and regulations promulgated with respect to the Act by the Federal Communications Commission ("FCC) authorize local governments to enact responsible regulations for the placement, expansion, height, and maintenance of Small Cell Technologies Facilities and associated Support Structures; and
WHEREAS, as provided in this Ordinance Number 2020-41, the City seeks to mandate, where feasible, the colocation of Small Cell Technology Facilities on existing poles and other Support Structures as opposed to installation of new Structures; and
WHEREAS, the above-noted colocation and other provisions of this Ordinance are intended to be consistent with the Act and its associated regulation; and
WHEREAS, the adoption of the regulations, procedures, and requirements in this Ordinance will permit Applicants and Providers to enhance the provision of personal wireless service and protect the public welfare, health, safety and interests of the City's citizens.
THEREFORE, BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA AS FOLLOWS: Ordinance 2020-25 is hereby amended by striking the following Sections in its entirety and replacing said Sections with the following amended language:
This ordinance for the purpose as herein stated as follows:

ARTICLE I. SMALL CELL TECHNOLOGY FACILITIES

Section 1. Definitions. The following definitions shall apply in the interpretation of this Ordinance:

A. *Abandonment* or *Abandons* means that, following the placement of Small Cell Technologies Facilities (and associated Accessory Equipment) or Support Structures in the City pursuant to a permit issued to a Provider or an Applicant, any of the following has occurred: (a) for any reason the Facilities cease to be used to transmit signals, data, or messages or otherwise be used for their intended purposes for a period of ninety (90) days; (b) the City revokes the permit for placement and use of those Facilities due to nonpayment of applicable fees, the failure of the Provider or Applicant to comply with conditions in the permit or in this Ordinance concerning them, or other valid reason; or (c) the Provider or Applicant fails to perform any of its responsibilities, obligations and requirements in this ordinance or in a permit that relate to the installation, construction, maintenance, use or operation of the Facilities, Accessory Equipment or Support Structures, and that breach remains uncured for a period of sixty (60) days after the City provides written notice of the breach to the Provider or Applicant.
B. *Accessory Equipment* means any equipment other than an antenna that is used in conjunction with Small Cell Technology Facility arrangements. This equipment may be attached to or detached from a Small Cell Technology Wireless Support Structure, and in includes, but is not limited to, cabinets, optical converters, power amplifiers, radios, DWDM and CWDM multiplexers , microcells, radio units, fiber optic and coaxial cables, wires, meters, pedestals, power switches, and related equipment on or in the immediate vicinity of a Support Structure.
C. *Antenna* means communications equipment that transmits and receives electromagnetic radio signals, is attached to a Small Cell Technology Wireless Support Structure and is used to communicate wireless service.
D. *Applicant,* whether singular or plural, means a personal wireless service provider, an entity that is authorized by a personal wireless service provider to apply for or receive a permit to install, construct, modify or maintain a Small Cell Technology Facility and related Accessory Equipment or Support Structure in the City, or an entity certificated by the Alabama Public Service Commission to provide telecommunication service.
E. *Application* means a formal request submitted to the City for a permit to install, construct, modify or maintain a Small Cell Technology Facility and related Accessory Equipment or Support Structure.
F. *City* means the City of Cullman, Alabama.
G. *City Council* means the City Council of the City of Cullman, Alabama.
H. *Mayor* means the person elected by the City as the Mayor of the City. The Mayor includes any employee of the City or other person designated by that Mayor to perform the responsibilities of this Ordinance.
I. *Colocation* means the placement or installation of a new Small Cell Wireless Technology Facility or related Accessory Equipment on an existing pole or other Support Structure that is owned, controlled or leased by a utility, the City or other person or entity.
J. *Personal Wireless Service Provider* or *Provider* means an entity that provides personal wireless communication services to the public or citizens of the City on a commercial basis and is authorized by the FCC to provide those services.
K. *Private Property* means real property located within the corporate limits of the City that does not lie within the Right-of-Way.
L. *Public Property* – property owned by the City of Cullman or Utility formed or authorized by the City Council of the City of Cullman, i.e. (Utility Board of the City of Cullman, Cullman-Jefferson Gas District, Industrial Development Board of the City of Cullman, Cullman Park and Recreation Board et al)
M. *Provider* - see Personal Wireless Service Provider.
N. *Right-Of-Way* or *Rights-Of-Way,* whether singular or plural, means the surface and space in, upon, above, along, across, over and below any public streets, avenues, highways, roads, courts, lanes, alleys, boulevards, ways, sidewalks and bicycle lanes, including all public utility easements and public service easements within those places, as the same now or may hereafter exist, that are within the City's corporate boundaries and under the jurisdiction of the City. This term shall not include county, State, or federal Rights-of-Way or any property owned by any person or entity other than the City.
O. *Small Cell Technology Facility(ies)* or *Facilities,* whether singular or plural, means and includes the following types of Structures: (a) antenna; and (b) associated Accessory Equipment. Photographs and illustrations of the types, relative dimensions and scale of these Facilities that are currently contemplated by this ordinance are attached as Exhibit A to the permanent record of this ordinance that is maintained by the City Clerk.
P. *Small Cell Technology Wireless Support Structure, Support Structure* or *Structure,* whether singular or plural, means a freestanding structure designed or used to support, or capable of supporting, Small Cell Technology Facilities, including, but not limited to, utility poles, street light poles, traffic signal structures, rooftops, attics, or other enclosed or open areas of a building or accessory structure, a sign, or a flag pole. These terms do not include any decorative and architecturally significant street light poles that are inappropriate for use as a Support Structure as determined by the Mayor.
Q. *Stealth Technology* means one or more methods of concealing or minimizing the visual impact of a Small Cell Technology Facility (and associated Accessory Equipment) and Support Structure by incorporating features or design elements which either totally or partially conceal such Facilities or Equipment. The use of these design elements is intended to produce the result of having said Facilities and associated Structures blend into the surrounding environment and/or disguise, shield, hide or create the appearance that the Facilities architectural component of the Support Structure. Photographs and illustrations of examples of the types of Stealth Technology that may be used when buildings are utilized as Support Structures and other applications of Stealth Technology that are currently contemplated are attached as Exhibit B to the permanent record of the ordnance that is maintained by the City Clerk.

Section 2. Permit Required to Place Small Cell Technology Facilities in Rights-Of-Way.

A. Provider or Applicant must obtain a permit from the City before placing, installing, or constructing any Small Cell Technology Facility (and associated Accessory Equipment) on any Support Structure that is located on the Right-Of-Way, or substantially modifying the position or characteristics of any such existing Facility thereon.
B. The Mayor will review and administratively process any request for a permit to determine whether, in the exercise of the

Mayor's reasonable discretion, it should be issued for the location and in the manner requested by the Applicant. In this process, the burden is on the Provider or Applicant to demonstrate that the placement of the proposed Small Cell Technology Facility and associated Accessory equipment or Support Structure on the Right-of-Way is the minimal physical installation which will achieve the goal of enhancing the provision of personal wireless service when considering all pertinent factors discussed in the provision immediately below. Except as set forth in this section this permitting process will be administrative and not require the approval of any City Board or City Official other than the Mayor. The factors, requirements and guidelines that the Mayor may consider and will apply when determining whether to issue a permit for placement of Small Cell Technology Facilities and associated Structure on the Right-Of-Way include, but are not limited to, the following:

1. Aesthetic Requirements set forth in a Design manual that are (i) reasonable, in that they are technically feasible and reasonably directed to avoiding or remedying out of character deployments; (ii) no more burdensome than those applied to other types of infrastructure deployments; and (iii) objective and published in advance. An objective aesthetic criteria is a standard that is clearly defined and ascertainable;
2. Colocation. An applicant seeking to set a new pole for a small wireless facility in the right of way must certify that there are no available colocation opportunities that are commercially reasonable and technically feasible to achieve the applicant's service objective;
3. The Accessory Equipment shall, if reasonably possible be placed at least ten (10) feet above the ground;
4. To the extent technically feasible, the color of Antenna and Accessory Equipment shall be compatible with that of the Support Structure;
5. The Facility (including the Accessory Equipment) shall not be illuminated;
6. Whether the proposed installation complies with generally applicable public safety codes;
7. Whether the proposed installation may interfere with vehicular traffic, passage of pedestrians, or other use of Right-of-way by the public; and
8. If the proposed installation will disturb conditions on the right-of-way, whether the Applicant can demonstrate its ability and financial resources to restore the subject area to its pre-existing condition following installation

C. Application Process.

1. At a minimum, each application for a permit shall contain all of the following:
   a. Engineering drawings depicting the type of Facilities, Support Structure, and means and points at which such Facilities and associated Accessory Equipment will be attached to a Support Structure;
   b. Map(s) designating with specificity the location(s) of the requested Facilities;
   c. If the Facilities will be located on a Support Structure on the Right-Of- Way that is owned by any entity other than the City or the Applicant, a copy of any license, lease, agreement or other documentation evidencing that the owner of that Support Structure authorizes the Facilities to be attached thereto or agrees in principle to authorize that attachment, provided that, if a representation is made to the City that the attachment has been authorized in principle by the owner of the Support Structure but the Applicant subsequently fails to furnish the City documentation that finalizes any such agreement, the City may refuse to issue the requested permit until that documentation is provided, or, if the City issues the requested permit before receiving such final documentation, the subject permit may be revoked and any license to use that part of the Right-Of-Way be rescinded.
   d. If the Applicant requests permission to place Facilities on a new Support Structure, the substantiation therefor required by Section 2, Paragraph B-7 of this ordinance.
   e. An application shall not be deemed complete until the Applicant has submitted all documents, information, forms and fees specifically enumerated in this Ordinance that pertain to the location, construction, or configuration of the Facilities or Support Structures at the requested location(s). Within ten (10) calendar days after an application for permit is submitted, the City shall notify the Applicant in writing if any additional information is needed to complete that application or supplemental information is required to process the request. If the City does not notify the Applicant in writing that the application is incomplete within ten (10) days following its receipt, the application is deemed complete.
2. Time for Processing Application. Unless another date is specified in a written agreement between the City and the Applicant, the City will have the following time periods to make its final decision to approve or disapprove an application for a permit contemplated in this ordinance and advise the Applicant in writing of that determination:
   a. Sixty (60) calendar days from the date an application for a permit is filed with respect to a request to co-locate Facilities on an existing Support Structure; and
   b. Ninety (90) calendar days from the date an application for a permit is filed with respect to a request to attach Facilities to a new Support Structure.
3. Reconsideration/Appeal. Any Applicant that desires reconsideration of an administrative diction by the Mayor to deny a request for a permit to place a Facility or Support Structure on the Right-Of-Way may seek review, modification or reversal of that decision by the City Council by submitting a request for reconsideration with the City Clerk within ten (10) calendar days following the Mayor's decision. That request for reconsideration will be considered by the City Council at a regular Council meeting that will be conducted as soon as practical after the request for reconsideration is made. If no request of reconsideration is submitted, the decision of the Mayor will be final. Additionally, the Applicant, within ten (10) days following a decision by the City Council to deny either a) a request for reconsideration or b) a decision by City Council to not approve the placement of a new Support Structure on the Right-of-Way, may appeal either of those decisions by the City Council to the Circuit Court of Cullman County, Alabama or as applicable. If no appeal of those decisions of the City Council is made, those will be deemed final.

D. Additional Requirements. Any Provider or Applicant to whom a permit is issued and that places Facilities and associated Support Structures on the Right-Of-Way also shall comply with the following requirements as long as those Facilities and Support Structures are on or under the Right-of-Way:

1. Prior to installing the Facilities or Support Structures, the Applicant shall provide the City a certificate(s) of insurance evidencing that it has obtained and will maintain the following types of insurance in connection with its operations on or use of the Right-Of-Way; renewal or said coverage shall be provided at each renewal period naming the City of Cullman as an additional insured.
   a. General Liability Coverage insuring the risk of claims for damages to persons or property arising from or related to the installation, construction, maintenance, operation or any use of the Facility or Support Structure placed on or along the Right-of-Way by the Applicant (or any of their contractors) with minimum limits of $1,000,000 per occurrence; and
   b. Workers Compensation Insurance as required by statute. The General Liability coverage shall list the City of Cullman, Alabama as an additional insured, and may be provided through a combination of a primary and umbrella policies. All insurance policies shall be furnished by insurers who are reasonably acceptable to the City and authorized to transact business in the State of Alabama. On an annual basis following initial installation, the Applicant also shall furnish the City a Certificate indicating that the above-noted coverage remains and will remain in effect. The City shall allow the applicant to provide a certificate of self-insurance in lieu of these provisions and must affirm adequate financial security on the part of the self-insured entity.
2. All Facilities and associated Support Structures shall be installed, erected, maintained and operated in compliance with applicable federal and state laws and regulations, including, but not limited to, regulations of the FCC.
3. Following the installation of any Facilities and associated Support Structures, the Provider or Applicant, upon reasonable request and for good cause, shall furnish the Mayor a written certification from a licensed professional engineer in the State of Alabama stating that those Structures have been inspected and are being maintained, operated and used in compliance with all applicable laws and regulations, including those of the FCC that pertain to the transmission of wireless communication signals. For purposes of this provision, "good cause" shall mean circumstances have arisen that indicate the Facilities and associated Support Structures have been damaged, are not functioning in compliance with applicable laws and regulations, or otherwise pose a hazard to the public. If those Support Structures should fail at any time to comply with applicable laws and regulation, the Provider or Applicant, at either of their expense, shall cause those Structures to be brought into compliance with said laws and regulations within fifteen (15) days of the date of any written notice to them from the Mayor of non-compliance, or cease all personal wireless service operations related to those Structures until the Applicant or Provider comes into full compliance with said laws and regulations.
4. The Facilities and associated support structures must at all times be maintained in good and safe condition.
5. Each Applicant or Provider that applies for a permit to place Facilities (including the Accessory Equipment) and Support

Structures on the Right-Of- Way and installs and utilizes those Structures shall defend, indemnify and hold the City and its employees or officials, harmless from all demands, losses, expenses (including attorney's fees and court costs), claims for personal injury or property damage, judgments or liabilities of any type that may be asserted or claimed against the City (or its employees or officials) by any third person, firm or entity that arise out of or relate in any manner to the following: 1) the installation, construction, maintenance, use or operation of the permitted Facilities, Accessory Equipment or any Support Structure on or about the Right- Of-Way; and 2) the failure of the Provider or Applicant to perform any of their respective responsibilities, obligations, and permit requirements in this ordinance. Notwithstanding the foregoing, the Provider or Applicant shall not be obligated to indemnify the City for claims resulting from the sole negligence or willful acts of the City (or its representatives).

E. Permit and License Fees. The Applicant for a permit to place Facilities and associated Support Structures on the Right-of-Way shall pay the following types of fees that are enumerated in the City's officially adopted Fee Structure Ordinance, as amended:

1. A permit application and review fee to be paid when an application is submitted;
2. A permit issuance fee for each Support Structure on the Right-of-Way contemplated for attachment; and
3. An annual license fee per each Support Structure on the Right-of-Way pertaining to the ongoing use of public property.

F. Removal, Relocation or Modification of Small Wireless Facility in the Right-of-Way.

1. Ninety (90) Day Notice to Remove, Relocate or Modify. Whenever the City reasonably determines that the relocation is needed as described below, then within ninety (90) days following written notice from the City, the Applicant shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any small wireless Facilities within the Rights-Of-Way whenever the City has determined that such removal, relocation, change or alteration, is reasonably necessary for (excluding beautification-only projects), as follows:
   a. the construction, repair, maintenance, or installation of any City improvement in or upon, or the operations of the City in or upon, the Rights-Of-Way; and/or
   b. if required for the construction, completion, repair, relocation, or maintenance of a City improvement or project in or upon, or the operations of the City in or upon, the Rights-Of-Way; and/or
   c. because the small cell Facility or its related equipment is interfering with or adversely affecting proper operation of any City-owned light poles, traffic signals, or other equipment in the Public Way; and/or
   d. to protect or preserve the public health or safety.
   e. In any such case, the City shall use its best efforts to afford Applicant a reasonably equivalent alternate location. If Applicant shall fail to relocate any Equipment as requested by the City within a reasonable time under the circumstances in accordance with the foregoing provision, the City shall be entitled to relocate the Equipment at Applicant's sole cost and expense, without further notice to Applicant. If, at any time during the Term for which the permit is granted, the City determines that utility Facilities will be placed underground in an area including any City-owned Facilities upon which Applicant has installed Equipment, Applicant and the City will cooperate in good faith on the design and installation, at Applicant's costs, of suitable replacement of Applicant's Facilities, including decorative streetlight poles; and Applicant agrees that if reasonably required by the Mayor or his designee or upon final appeal by the City of Cullman Design Review Board in order to ensure appropriately even and level lighting within a previously unlighted area, additional Facilities, which may include decorative streetlight poles beyond or more numerous than those required for Applicant's Facilities, shall be installed. Applicant agrees that decorative streetlight poles may be required by the City in the future in the place of initially-installed standard-design streetlight poles, in which replacement of the Applicant's Facilities and Equipment on decorative streetlights that were initially installed standard-design streetlight poles shall be solely at Applicant's cost. Further, Applicant agrees that in such instances and at such time as replacement poles are installed, the City may reasonably require that the configuration and/or location of ground furniture (which references any equipment on the ground that is needed to supply power or backhaul services to the small cell Facility) and/or pole-mounted equipment or equipment cages be changed (such as changing from pole-mounted equipment cages to ground furniture), in the discretion of the City.
2. Emergency Removal or Relocation of Facilities. The City retains the Right and privilege to cut or move any small wireless Facility or related structure located within the Rights-of-Way of the City, as the City may determine to be necessary, appropriate or useful in response to any public health or safety emergency. If circumstances permit, the City shall notify the Applicant and provide the Applicant an opportunity to move its own Facilities, if possible, prior to cutting electrical service or removing a Facility and shall notify the wireless Provider after cutting or removing a small wireless Facility.

Section 3. Placement of Small Cell Technology Facilities on Private Property.

A. A Provider or Applicant must obtain a permit from the City before placing, installing, or constructing any Small Cell Technology Facility (and associated Accessory Equipment) on any Support Structure that is located on private property, or substantially modifying the position or characteristics of any such existing Facility thereon.

B. The Mayor will review and administratively process any request for a permit to determine whether, in the exercise of the Mayor's reasonable discretion, it should be issued for the location and in the manner requested. Except as set forth in this section, this permitting process will not require the approval of any City Board or City official other than the Mayor. The factors, guidelines and requirements that the Mayor may consider and will apply when determining whether to issue a permit for placement of Facilities and any associated Accessory Equipment or Support Structure on private property include, but are not limited to, the following:
   1. The factors and requirements set forth in Section 2 of this Ordinance Number 2020-25;
   2. Colocation. The guidelines in Section 2 of this Ordinance Number 2020-25 to utilize existing poles and Support Structures for the placement of Facilities and Accessory Equipment are also applicable when considering whether to permit the installation of those Facilities and Support Structures on private property, provided that City Council approval is not required before a permit is issued to place a new pole or other Support Structure on private property if that action is appropriate.
   3. The Provider or Applicant shall use Stealth Technology when installing the Facilities and associated Accessory Equipment on any building or accessory to that building that is located on private property. Further, Stealth Technology should be used when placing Facilities on other types of Support Structures on private property unless the Applicant can reasonably demonstrate that, given the nature of the requested application, the use of such Technology is (a) unnecessary; or (b) impractical.
   4. If Facilities are placed on an existing or new building or accessory to that building, the following dimensional regulations shall apply:
      a. Facade-mounted antennas shall not extend above the face of any wall or exterior surface of the building.
      b. Roof-mounted antennas and Accessory Equipment may be permitted on buildings in accordance with the following table:

Height of Building	**Maximum Height of Facility Above Highest Point of Roof**	**Required Setback from the Edge of the Roof of the Building**
Up to 15 feet	8 feet, including antenna	1 foot for every foot height of equipment
15-35 feet	10 feet, including antenna	1 foot for every foot height of equipment
More than 35 feet	12 feet, including antenna	1 foot for every foot height of equipment

      c. The antenna component of the Facilities shall be limited to a maximum height of three (3) feet and a maximum width of two (2) feet; provided that authorization to install antenna up to six (6) feet in height may be permitted if a showing of the technological need for such equipment is made and other requirements of this Section are met.
      d. Accessory Equipment must be located in an equipment cabinet, equipment room in an existing building or in an unmanned equipment building. If the equipment building is freestanding, it shall conform to the City of Cullman Ordinance with respect to building setbacks, that building shall not exceed 400 square feet, and its overall height shall be limited to 15 feet (if located on the ground) measured from the finished grade. Further, if an equipment building or cabinet is located in a residential zone, or the nearest adjoining property is in a residential zone, that building or cabinet shall be surrounded by landscaping to provide a screen of the same height as the building or cabinet.

5. Application Process. Except as provided in paragraphs a and b immediately below, the same application process that is set forth in Section 2 will be utilized when processing any request for a permit to place Facilities or Support Structures on private property, except that:
    a. City Council approval to install a new Support Structure on private property is not a condition for a permit to place Facilities thereon; and
    b. If the Facilities are located on private property that is not owned or exclusively used by the Applicant, instead of providing the documentation contemplated in Section 2(c)(1)(c), the Applicant shall present a license, lease, agreement or other documentation indicating that owner of said property authorizes the Applicant the Rights to place the Facilities thereon and access thereto, or that such owner agrees in principle to grant the Applicant those Rights; provided that, if a representation is made to the City that the owner of private property has agreed in principle to grant those Rights but the Applicant subsequently fails to furnish the City documentation that finalizes any such agreement, the City may refuse to issue the requested permit until the documentation is provided, or, if the City issues the requested permit before receiving such final documentation, the subject permit and license may be revoked.
6. Additional Requirements. Any Provider or Applicant to whom a permit is issued and that places Facilities and associated Support Structures on private property also shall comply with the following requirements as long as those Facilities and Support Structures are located thereon:
    a. All Facilities and Support Structures shall be installed, erected, and maintained in compliance with applicable federal and state laws and regulations, including, but not limited to, regulations of the FCC.
    b. The Facilities and associated Support Structures on private property must at all times be maintained in good and safe condition.

C. Permit and License Fees. The Provider or Applicant for a permit to place Facilities and associated Support Structures on private property shall pay the following types of fees that are enumerated in the City's officially adopted Fee Structure Ordinance as amended:

1. a permit application and review fee to be paid when an application is submitted; and,
2. a permit issuance fee per each Support Structure on private property contemplated for attachment.

Section 4. Abandonment of Facilities on Right-of-Way. If a Provider or Applicant abandons any Facility (including the Accessory Equipment) or an associated Support Structure (collectively "Facilities" for purposes of this Section) that is located on the Right-Of-Way, the following rights and obligations shall exist. The City may require the Provider or Applicant, at their expense, to remove and reclaim the abandoned Facilities within sixty (60) days from the date of written notice of Abandonment given by the City to them and to reasonably restore the condition of the property at which the Facilities are located to that existing before they were installed . If the Provider or Applicant fails to remove and reclaim its abandoned Facilities within such 60-day period and the Facilities are located on the Right-Of-Way, the City shall have the rights to:

1. remove them and charge its expense of any such removal operation to the account of the Provider or Applicant,
2. purchase all abandoned Facilities at the subject location from the Provider or Applicant in consideration for $1.00,
3. at the City's discretion, either resell the abandoned Facilities to a third party or dispose and salvage them; provided that the proceeds of any resale of abandoned Facilities by the City to a third party shall be credited to the account of the Applicant or Provider that used those Facilities before the abandonment, and
4. charge any expense incurred by the City to restore the Right-of-Way to the account of the Provider or Applicant.

Section 5. Colocation. To promote the public interest that is served by co-locating Facilities and associated Accessory Equipment on existing Support Structures and thereby mitigating the installation of additional Support Structures throughout the City, no person or entity (including any Provider , Applicant, utility, or franchisee) that utilizes an existing Support Structure that is located on Right- of-Way or on private property in the City and has space available thereon may deny a Provider or Applicant the Right to use or access an existing Support Structure for purposes of attaching Facilities permitted by this ordinance without sound operational, technological or other good reason.

Section 6. Non-Applicability. The placement of an antenna(s), Facilities or equipment related to the following types of wireless communication services are exempt from regulation under this ordinance:

A. Amateur radio service that is licensed by the FCC if the Facilities related thereto are not used or licensed for any commercial purpose; and
B. Facilities used by any federal, state or local government or agency to provide safety or emergency services.

Section 7. Repealer. All Ordinances or parts of ordinances heretofore adopted by the City Council of the City of Cullman, Alabama that are inconsistent with the provisions of this Ordinance are hereby expressly repealed.

Section 8. Severability. If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

Section 9. Effective Date. This ordinance shall become effective immediately upon adoption, posting, and publication as provided by Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this the 14th day of September, 2020.

/s/Jenny Folsom - President of City Council

ATTESTED BY: /s/Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 14th day of September, 2020. /s/Woody Jacobs – Mayor

ORDINANCE NO. 2020 – 45
TO NAME EGE FARM DRIVE SW

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA AS FOLLOWS:

1. An unnamed street located west of Cherokee Avenue SW/Highway 69, south of Main Avenue SW and north of Mize Road is hereby named Ege Farm Drive SW in honor of the Ege family who owned the property for many years.
2. That this ordinance shall take effect upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 28th day of September, 2020. /s/Jenny Folsom - President of City Council

ATTESTED BY: /s/Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 28th day of September, 2020. /s/Woody Jacobs – Mayor

ORDINANCE NO. 2021 – 01
TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. The City Council of the City of Cullman finds that the following property owners, Jordan Marchman, has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, owned by the petitioner, be annexed into the City of Cullman: A tract of land being in the SE ¼ of the SW ¼ of the NE ¼ of Section 2, Township 10 South, Range 3 West, Cullman County, Alabama, described as commencing at the southeast corner of said SE ¼ of the SW ¼ of the NE 1/4; thence S 89°24'47" W 45.04 feet to a ½" rebar on the westerly right of way of Sharpton Road, being the point of beginning; thence continue S 89°24'47" W 146.35 feet to a ½" rebar; thence N 16°02'27" E 166.46 feet to a ½" rebar; thence N 89°24'47" E 63.86 feet to a ½" rebar on the southwesterly right of way of Alabama Highway 157; thence along said right of way a chord bearing and distance of S 27°57'05" E 79.56 feet to a concrete monument on the westerly right of way of Sharpton Road; thence along said right of way of Sharpton Road a chord bearing and distance of S 00°31'00" W 88.86 feet to the point of beginning. Less and except all that of the above property that lies within the right of way of Catoma Lane. Source of Title: Deed Book 590, Page 221. The address of the property is 1528 Catoma Lane NE, Cullman, AL 35055.

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 tracts or parcels of land as **R-1 Residential 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 12th day of October, 2020. /s/Jenny Folsom - President of City Council

ATTESTED BY: /s/Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 12th day of October, 2020. /s/Woody Jacobs – Mayor

PREP BASKETBALL

Raiders, Lady Raiders claim area wins at Hanceville

Nick Griffin
nick@cullmantribune.com

HANCEVILLE, Ala. – Good Hope made the quick trip over to Lane Horton Gymnasium at Hanceville High School for a pair of area clashes with the Bulldogs and Lady Bulldogs and returned home with a pair of area wins. The Lady Raiders gave Hanceville fits defensively, forcing an insurmountable number of turnovers and pulling away in the second half to beat the Lady Bulldogs 54-39. The Raiders made it difficult for the Bulldogs to score in the boys' matchup as well, holding them to just 15 points in the first half and eventually putting them away to collect a 75-47 area win.

Good Hope 54 – Hanceville 39 (varsity girls)
Heather Tetro got things off to a good start for the Lady Raiders, scoring the first seven points of the game before Rudi Derrick and Ivey Maddox added buckets of their own to make it an 11-0 game right out of the gate. Hanceville's Cassidy Campbell helped end the scoring drought when she connected with Jessica Thompson on a perfect half court pass and Thompson laid it in to get the Lady Bulldogs on the board. Derrick and Campbell traded baskets to make it a 13-4 game late in the first quarter, but Victoria Stanley buried a three-pointer just before the buzzer to cut the lead to 13-7 going into the second.

Stanley knocked down her next three-point attempt to start the second quarter and trim the lead to just three and a Thompson jumper brought the lead all the way down to 13-12 early in the period.

Maddox responded with a three on the other end to build the lead to four. Stanley answered with her third three-pointer of the game and cut the lead back down to one before her fourth three of the night tied the game at 18 with four minutes to play in the half. Another Maddox score gave Good Hope a two-point lead but back to back buckets by Thompson put the Lady Bulldogs in front 22-20 with less than two minutes to play in the second. A Heather Tetro three-pointer gave the Lady Raiders a one-point lead late in the half, but Campbell responded with a jumper on the other end that gave Hanceville a 24-23 lead at the break.

Maddox knocked down a jumper and Bailey Tetro drilled a three to put Good Hope in front 28-24 at the start of the third and the scoring run continued when another Maddox three made it 31-24. Maddox scored again to keep the Lady Raiders ahead 33-26 midway through the third and they were able to stretch their lead to 10 with three minutes to play in the period. Maddox's hot shooting continued and she scored on back to back possessions to make it a 43-30 game late in the third. Campbell knocked down a three and Stanley hit yet another three at the buzzer to cut into the lead, but Good Hope still led the way 45-36 going into the final frame.

Derrick and Campbell traded scores to make it a 47-38 game early in the fourth, but the Lady Bulldogs weren't able to get any closer than that the rest of the way. Derrick scored on back to back possessions to extend the lead to 12 midway through the fourth quarter and Maddox netted her fourth three-pointer of the game with two minutes remaining to put it away. Good Hope went on to win the game 54-39.

Maddox led all scorers with 24 points in the win. Derrick finished with 12, Heather Tetro posted nine and Bailey Tetro added six. Campbell led the Lady Bulldogs with 16 points, followed by Stanley with 12 and Thompson with 11.

Good Hope 75 – Hanceville 47 (varsity boys)
Not unlike the Lady Raiders before them, the Raiders got off to a fast start against the Bulldogs. Noah Barnette netted a free throw and a mid-range jumper to make it 3-0 early and a Michael Owens three-pointer later stretched the lead to 7-0. Izayah Glenon scored inside to get Hanceville on the board, but Owens answered with another trey on the other end to give Good Hope a 10-2 lead midway through the first. Zach Campbell and Adam Cooper each scored for the Bulldogs, but Barnette and Tanner Malin were able to match those baskets and keep the Raiders in front 14-6 late in the first. However, Carson Garrett was able to knock down a pair of free throws in the final seconds of the period to trim the lead to 14-9 going into the second.

Charlie O'Neil buried a three-pointer to start the second and put Good Hope in front 17-9 and Barnette added another bucket to make it a 10-point game. Glenon converted a three-point play at the line to cut the lead to 21-12 but another long ball from O'Neil built the lead back to 12. Malin scored at the rim to add to the lead and Lawton Farr scored four straight to make it 30-12 with three minutes to play in the opening half. Barnette knocked down a pair of free throws in the final seconds of the quarter to give the Raiders a 34-15 advantage at the break.

Good Hope was able to create more separation in the third quarter, getting things started with back to back Barnette baskets and a three-pointer from Colton Lindsey that made it a 42-20 game. Barnette turned a big block into a three-point play on the other end to continue adding to the lead and after a pair of scores by Malin and another trey from O'Neil, the Raiders led the way 52-20 midway through the third. Glenon and Campbell each scored inside for Hanceville and after an Eli Pugh basket on the other end, Tristan Herrera netted back to back three-pointers in the final minute of the period to trim the lead to 58-32 going into the fourth quarter.

K'mal Bell and Herrera exchanged three-pointers at the start of the fourth, but the Bulldogs were unable to continue answering Good Hope's scoring possessions. Farr and Malin each scored to make it a 67-39 game and a three from Ethan Anderson put the Raiders up by 31 with four minutes to play. Campbell and Glenon each found the basket again and Herrera added another three for Hanceville, but the lead was too much to overcome and after the late dagger came on a three by Tyler Cone, Good Hope pulled away to win it 75-47. Barnette led all scorers with 23 points in the win. Malin posted 13, O'Neil added nine and Farr and Owens finished with six. Herrera led the way for the Bulldogs with 12 points in the loss, followed by Glenon with 11, Campbell with eight, Braxton Broad with seven and Garrett with six.

Good Hope will hit the road the road next Tuesday for another area showdown with Curry while Hanceville stays home to take on Oneonta.

PREP BASKETBALL

Addison collects Saturday night sweep of Meek

Todd Walker
Tribune Correspondent

ADDISON, Ala. – Addison hosted its neighbors to the south, Meek High School, Saturday night for a pair of games that mean a lot towards the road to the Winston County championship. The Lady Bulldogs won the first game 45-36 to avenge an earlier loss to the Lady Tigers while the Bulldogs downed Meek 71-40 to sweep the Tigers in their two meetings.

Addison 45 – Meek 36 (varsity girls)
The Addison Lady Bulldogs were looking to avenge a 16-point loss to the Meek Lady Tigers earlier in the year. The first half proved to be a back and forth affair with both teams winning a period. The young Lady Dawgs won the opening period 14-9 with Gracie "Bug" Manley leading the way with six points. The second period was a different story. Meek dominated the glass for most of the first half but especially in the second period. Meek Senior Abby Phillips, who torched Addison for over 30 points in the first meeting, scored six in the half but had a dominating 11 rebounds. Meek held the Lady Dawgs to only four points in the period while scoring 14 of their own. At the half, Meek led 23-18.

The second half had the Addison Lady Bulldogs putting the defensive pressure on the Lady Tigers. Coach Bailey West had the defense collapsing down on Phillips when she got the ball down low. Bulldog Lydia "Barbie" Ergle did the hard work trying to keep Phillips from lighting up the Dawgs like she did in the first game. Ergle had an outstanding defensive game in keeping Phillips to only 4 points in the second half. Addison was led by Manley as she powered her way in the lane to score and hit two quick threes. At the end of the third period Addison had erased a 5-point deficit to lead by three at 35-32.

The fourth period was about the same as far as the Bulldog defensive intensity went. The Lady Tigers were held to four points in the fourth while Addison scored 10. Addison came away with a solid 45-36 victory to put them in a tie with the Meek Lady Tigers for the county lead.

Meek was led by senior Dani Cotton who had 10 points and five rebounds. Phillips had 10 points and 15 rebounds to go along with three steals. Sophomore Madison Smith, who is an excellent young player, had four points but 10 boards, four assists and two steals. Senior Savannah Smith who is Madison Smith's older sister, who isn't half bad herself, put in six points, two rebounds, one assist and a steal.

Addison was led by "Bug" Manley who had an incredible 24 points, 11 rebounds and seven steals. Manley almost pulled off a triple double. Bracey "Tiny" Rodgers had an excellent all-around game with nine points, six boards, three assists and two steals. Molly Gilbreath had eight points, three boards and two steals.

After the game, Addison Coach Bailey West said, "24 (Lydia Ergle) was our player of the game. Don't get me wrong, I am proud of all of them but Ergle played her heart out tonight. She had a tough assignment with 00 (Abby Phillips) but she came through and we were able to hold her (Phillips) way under the 30 she scored on us at Meek. The girls are playing well right now and we seem to be coming together at the right time."

Addison improves to 7-9 on the year and Meek falls to 10-4.

Addison 71 – Meek 40 (varsity boys)
Addison was looking for the season sweep of Meek and the Bulldogs were fired up as it was senior night at Stephenson Gym. Prior to the game, Addison recognized senior Logan "Baby Shaq" Wilkins with a commemorative basketball for scoring his 2,000th career point at Addison against the Lynn Bears Friday night and for becoming the all-time leading scorer in Addison High School basketball history.

From the outset of this game, you could tell that the Addison defense was going to control the tempo on this night. Addison came out and outscored Meek 13-5 in the first period. This was a game where Addison played all twelve of their players and they all contributed in one way or another. Everyone got in the stat box on this evening.

The second period was a repeat of the first. Addison won the period 20-13 to take a 33-18 half time lead. Wilkins led the Dawgs with 14 first half points. Cannon "TNT" Hiller had nine points. Meek Freshman Jarret Mixon had 8 points in the half trying to keep the Tigers in it. You need to get to know young Mr. Mixon because before he is done, he is going to be a holding a lot of Tiger records.

The second half didn't get any better for the Tigers as Addison came out and continued with the defensive pressure. The Dawgs won the period scoring 25 points to the Tigers' 13.

Addison had a commanding, 58-31 lead going into the fourth period, so Head Coach Ben Mastin emptied his bench. Addison stayed sharp and focused as they ended up winning the period 13-9 to take an impressive 71-40 game over a solid Meek Tiger team.

Meek was led by Mixon with 15 points and five boards. Senior Kendrick Smith had nine points and three boards. Junior David Tidwell had seven points, four boards and two steals. Freshman Cameron Deaver had five points and three boards.

Addison was led by Wilkins had 18 points, four boards and three assists. Eli "Curly" Howse had 13 points and four assists. Hiller had nine points and four boards. Brady "Stick" Gilbreath had a season high 10 points and two rebounds. Quentin "Fabio" Barley four points and 10 rebounds. Xavier "Mr. Smooth" Barley had four points and five boards. Christian "Ice Man" Roberts had four points and five boards.

Following the win, Coach Mastin said, "This is a big win for us. We let one slip away (Cold Springs) that we should have won and that taught us a valuable lesson.

"We got the big lead in that game and coasted and ended up losing. I can promise you that that will not happen again. Our big two (Wilkins/Howse) had good games but everyone contributed tonight. Brady (Gilbreath) had a good game and we needed to see that from him because we are going to need him to contribute going forward.

"The twins (Barley) dominated the glass and if we could get 10 points and double-digit rebounds from them nightly, we will be a tough team to beat. Just couldn't be prouder of our guys and we a coming together at the right time of the season."

Addison improves to 10-10 and all but locks up the county championship with a 5-0 record. Addison plays Double Springs next week.



Good Hope (from Front)

Christy Perry
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GOOD HOPE, Ala. – The Good Hope City Council on Monday night voted 5-1 to approve the City's purchase of The Cotton Gin restaurant property, including the 5.98 acres, building and restaurant equipment. The property, owned by Elliott Morgan, was offered to the City for $500,000, the appraised value. The property is located at 123 Lindsey Road off Alabama Highway 69.

The council, along with City Attorney Rita Nicholas and City Planner Corey Harbison, went into an executive session to discuss the purchase of the property. They returned after about 15 minutes and Mayor Jerry Bartlett announced the proposed purchase. Councilwoman Susan Eller immediately made a motion to table the matter until the next council meeting but failed to receive a second.

Councilman Greg Brown made motion to proceed with the purchase and was seconded by Councilman Eric Phillips seconded the motion resulting in a full vote. Eller's was the only no vote.

Harbison said of the property, "We've got several people that we hope to work with and hopefully get a restaurant. We have the 3.3 acres that connect to the Cotton Gin property that separates it from Highway 69."

He said the City would be open to selling or leasing that property and that owning the restaurant property and the connecting property will hopefully make negotiating easier.

With all the restaurant equipment included in the purchase, Harbison said, "The building is ready to go as a restaurant."

Added Bartlett, "We aren't here to make money. We would love to see people in Good Hope and that's a beautiful building with a lot of potential."

The council said the venue could potentially be used as an event space in the short term.

"We could rent it possibly as an event space to make up for the (closure of the Cullman) civic center," said Harbison.

In other business, the council passed a resolution to renew the City's AirMedCare Agreement through Jan. 26, 2022. It also voted to participate in the last weekend of February's Severe Weather Preparedness Tax Holiday. The council verified the FY2019 audit financial statement.

The Good Hope City Council will meet next on Jan. 25 at 6:30 p.m. at Good Hope City Hall.





IN THE JUVENILE COURT OF CULLMAN COUNTY, ALABAMA

IN RE:)
A.L.)
A Minor Child, 02/16/2004)

CASE NO. JU 2010-165.05

NOTICE

The Petitioner having made a Motion for Service by Publication in the above styled action, it is

ORDERED AND ADJUDGED that Ashley Loggins, the Mother of A.L., born on or about 02/16/2004, respond to the Petition by the 26 day of January, 2021, or thereafter a judgment may be rendered in favor of the Petitioner.

Contact may be made: Attorney for Petitioner: Michael J. Baggett, 206 Ninth Street SW, Cullman, AL 35055, (256) 737-0740 or Clerk of Court: Lisa McSwain, 500 2nd Ave SW Cullman, AL 35055.

DONE this the 15th day of December, 2020

WELLS R. TURNER, III
JUVENILE JUDGE
CULLMAN COUNTY, ALABAMA

STATE OF ALABAMA, CULLMAN COUNTY
I, Lisa McSwain, Clerk of Circuit Court in and for said County and State, hereby certify that the within and foregoing is a true and correct copy as the same appears of record in this office.
Witness my hand and official seal, this 16th day of December, 2020.
Lisa McSwain
Clerk of Circuit Court

FILED IN OFFICE
DEC 15 2020
LISA McSWAIN
CIRCUIT CLERK
CULLMAN COUNTY

IN THE JUVENILE COURT OF CULLMAN COUNTY, ALABAMA

IN RE:)
H.L.)
A Minor Child, 11/05/2007)

CASE NO. JU 2017-003.04

NOTICE

The Petitioner having made a Motion for Service by Publication in the above styled action, it is

ORDERED AND ADJUDGED that the Father of H.L., born on or about 11/05/2007 to Ashley Loggins, respond to the Petition by the 26 day of January, 2021, or thereafter a judgment may be rendered in favor of the Petitioner.

Contact may be made: Attorney for Petitioner Michael J. Baggett, 206 Ninth Street SW, Cullman, AL 35055, (256) 737-0740 or Clerk of Court: Lisa McSwain, 500 2nd Ave SW Cullman, AL 35055.

DONE this the 15 day of December, 2020

WELLS R. TURNER, III
JUVENILE JUDGE
CULLMAN COUNTY, ALABAMA

STATE OF ALABAMA, CULLMAN COUNTY
I, Lisa McSwain, Clerk of Circuit Court in and for said County and State, hereby certify that the within and foregoing is a true and correct copy as the same appears of record in this office.
Witness my hand and official seal, this 16th day of December, 2020.
Lisa McSwain
Clerk of Circuit Court

FILED IN OFFICE
DEC 15 2020
LISA McSWAIN
CIRCUIT CLERK
CULLMAN COUNTY

IN THE JUVENILE COURT OF CULLMAN COUNTY, ALABAMA

IN RE:)
A.L.)
A Minor Child, 02/16/2004)

CASE NO. JU 2010-165.05

NOTICE

The Petitioner having made a Motion for Service by Publication in the above styled action, it is

ORDERED AND ADJUDGED that the Father of A.L., born on or about 02/16/2004 to Ashley Loggins, respond to the Petition by the 26 day of January, 2021, or thereafter a judgment may be rendered in favor of the Petitioner.

Contact may be made: Attorney for Petitioner Michael J. Baggett, 206 Ninth Street SW, Cullman, AL 35055, (256) 737-0740 or Clerk of Court: Lisa McSwain, 500 2nd Ave SW Cullman, AL 35055.

DONE this the 15 day of December, 2020

WELLS R. TURNER, III
JUVENILE JUDGE
CULLMAN COUNTY, ALABAMA

STATE OF ALABAMA, CULLMAN COUNTY
I, Lisa McSwain, Clerk of Circuit Court in and for said County and State, hereby certify that the within and foregoing is a true and correct copy as the same appears of record in this office.
Witness my hand and official seal, this 16th day of December, 2020.
Lisa McSwain
Clerk of Circuit Court

FILED IN OFFICE
DEC 15 2020
LISA McSWAIN
CIRCUIT CLERK
CULLMAN COUNTY

ORDINANCE NO. 2021 – 05
TO AMEND ORDINANCE NO. 2019 – 02 DESIGNATING OFFICERS OF THE CITY OF CULLMAN, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

1. That SECTION IV is deleted in its entirety and replaced with the following: SECTION IV. The following officers of the City, all of which have some level of authority over employees of the City, exercise some discretionary policy making authority, or a portion of their duties is the ability to discharge some portion of the sovereign power of the City, shall be appointed by the majority of the City Council:

A. Police Chief.
B. Fire Chief.
C. Director of Economic Development.
D. Sanitation Superintendent.
E. Street Superintendent.
F. Wastewater Treatment Plant Superintendent.
G. Water and Sewer Superintendent.
H. Garage Superintendent.
I. Chief Building Official.
J. Director of Risk Management.
K. Director of Information Technology.
L. ROW Maintenance Superintendent.
M. City Engineer.
N. Director of Parks and Recreation.

All officers set out in this Section shall serve for one year or until their successors are appointed. All officers set out in this Section shall be directed by the Mayor, and shall report to the Mayor and the designated Committee Chair to keep the Council advised of the operations of their departments. In addition to the normal duties of their respective departments, these officers shall set formal procedures for personal conduct of the employees within their departments not inconsistent with the policies set by the Council and Mayor. All officers set out in this Section are exempt employees (employees at will) and may be removed prior to their term of service without cause by the Council. The Mayor may temporarily suspend or remove any officer, superintendent, chief, or department head in this Section; the suspension or removal of any of the above officials, if sustained by a majority of the Council, shall be final. The Mayor may temporarily fill the vacancy of any office in Section until a permanent replacement is appointed by the majority of the Council.

2. All other provisions of Ordinance No. 2015-23 not specifically amended herein shall remain in full force and effect.
3. This Ordinance shall be effective following its passage, approval, and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 23rd day of November, 2020. /s/Jenny Folsom - President of City Council
ATTESTED BY: /s/Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 23rd day of November, 2020. /s/Woody Jacobs – Mayor

ORDINANCE NO. 2021 – 08
TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. The City Council of the City of Cullman finds that the following property owner, Brenda Howell, has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, owned by the petitioner, be annexed into the City of Cullman: APPROXIMATELY 21 ½ ACRES SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 3 WEST, CULLMAN COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A FOUND ROCK MARKING THE ACCEPTED SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 35, HAVING AN ALABAMA STATE PLANE, WEST ZONE, NAD 83 COORDINATE VALUE OF N. 1532032.08', E. 2172496.30' AND RUN THENCE NORTH 00 DEGREES 21 MINUTES 21 SECONDS EAST ,A DISTANCE OF 873.27 FEET; THENCE NORTH 88 DEGREES 59 MINUTES 14 SECONDS WEST ,A DISTANCE OF 387.58 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF BASCH ROAD; THENCE RUN IN A SOUTHWESTERLY DIRECTION FOLLOWING SAID SOUTH RIGHT-OF-WAY LINE APPROXIMATELY 970 FEET TO THE EAST RIGHT-OF-WAY LINE OF CULLMAN COUNTY ROAD NO. 1435 (EVA ROAD); THENCE RUN IN A SOUTHEASTERLY DIRECTION ALONG SAID COUNTY ROAD NO. 1435, APPROXIMATELY 750 FEET TO A FOUND CAPPED CORNER (CONN-17831) HAVING AN ALABAMA STATE PLANE, WEST ZONE, NAD 83 COORDINATE VALUE OF N. 1531494.19', E. 2171939.67'; THENCE NORTH 66 DEGREES 14 MINUTES 59 SECONDS EAST DEPARTING SAID RIGHT-OF-WAY LINE ,A DISTANCE OF 238.82 FEET; THENCE NORTH 68 DEGREES 28 MINUTES 11 SECONDS EAST ,A DISTANCE OF 360.06 FEET TO A FOUND CAPPED CORNER (CONN-17831) MARKING THE ACCEPTED EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 34 MINUTES 29 SECONDS EAST ,A DISTANCE OF 309.58 FEET TO THE POINT OF BEGINNING. The property is located the northeast corner of the intersection of Eva Road and Co Rd 1319.

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 tracts or parcels of land as **R-4 Single Family and Multifamily Residential 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 23rd day of November, 2020. /s/Jenny Folsom - President of City Council
ATTESTED BY: /s/Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 23rd day of November, 2020. /s/Woody Jacobs – Mayor

ORDINANCE NO. 2021 – 09

TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. The City Council of the City of Cullman finds that the following property owner, George Melvin Schaefers, Jr., has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, owned by the petitioner, be annexed into the City of Cullman: A tract or parcel of land containing 2.88 acres of land, more or less and being a part of the Northeast Quarter of the Northwest Quarter of Section 35, Township 10 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows: COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 35 AND RUN NORTH 89 DEGREES 40 MINUTES 20 SECONDS WEST AND RUN ALONG THE NORTH LINE, A DISTANCE OF 873.18 FEET; THENCE RUN SOUTH 00 DEGREES 51 MINUTES 42 SECONDS WEST, A DISTANCE OF 29.78 FEET TO A SET REBAR ON THE SOUTH RIGHT-OF-WAY LINE OF PHELAN ROAD, SAME BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 51 MINUTES 42 SECONDS WEST, A DISTANCE OF 202.29 FEET TO A SET REBAR AND BEING IN A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 11 DEGREES 00 MINUTES 34 SECONDS, A RADIUS OF 1,060 FEET, A CHORD BEARING OF SOUTH 84 DEGREES 28 MINUTES 08 SECONDS EAST AND A CHORD LENGTH OF 203.37 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 203.68 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89 DEGREES 58 MINUTES 25 SECONDS EAST, A DISTANCE OF 414.05 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CULLMAN COUNTY ROAD NO. 722; THENCE NORTH 07 DEGREES 50 MINUTES 21 SECONDS EAST AND RUN ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 83.98 FEET; THENCE NORTH 02 DEGREES 45 MINUTES 53 SECONDS EAST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 90.71 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 92 DEGEES 44 MINUTES 18 SECONDS, A RADIUS OF 25.00 FEET, A CHORD BEARING OF NORTH 43 DEGREES 36 MINUTES 16 SECONDS WEST AND A CHORD LENGTH OF 36.19 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 40.46 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF PHELAN ROAD; THENCE NORTH 89 DEGREES 58 MINUTES 25 SECONDS WEST AND RUN ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 404.83 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 10 DEGREES 59 MINUTES 31 SECONDS, A RADIUS OF 860.00 FEET, A CHORD BEARING OF NORTH 84 DEGREES 28 MINUTES 40 SECONDS WEST AND A CHORD LENTH OF 164.73 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 164.99 FEET TO THE POINT OF TANGENCY; THENCE NORTH 80 DEGREES 23 MINUTES 04 SECONDS WEST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 36.01 FEET TO THE POINT OF BEGINNING. The property is located on County Road 715, Cullman, Alabama.

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 tracts or parcels of land as **R-3 High Density Single Family and Duplex Residential 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 23rd day of November, 2020. /s/Jenny Folsom - President of City Council

ATTESTED BY: /s/Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 23rd day of November, 2020. /s/Woody Jacobs – Mayor

ORDINANCE NO. 2021 – 10

TO VACATE A UTILITY EASEMENT NOT NEEDED FOR ANY PUBLIC OR MUNICIPAL PURPOSE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

1. The City of Cullman has a utility easement on Lot 14 in the Abbey View Subdivision Phase One of the City of Cullman also known as 1203 Welti Road SE.
2. The Cullman City Council finds and determines that this property is not needed by the City of Cullman for public or municipal purposes and hereby vacates the said utility easement.
3. The City Council hereby authorizes the Mayor to do as necessary to vacate the said utility easement.
4. This ordinance shall become effective upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 23rd day of November, 2020. /s/Jenny Folsom - President of City Council

ATTESTED BY: /s/Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 23rd day of November, 2020. /s/Woody Jacobs – Mayor

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Cullman, Alabama, will hold a public hearing on February 8th, 2021 at 7:00 o'clock p.m. in the Lucille N. Galin Auditorium at City Hall, 204 Second Avenue NE, Cullman, Alabama 35055. At this time anyone wishing to be heard in favor of or in opposition to the adoption of Ordinance No. 2021-19 (set forth in full below) will be given an opportunity to be heard:

ORDINANCE NO. 2021 – 19

AMENDING ORDINANCE NO. 2004-03 AND THE ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, Minuteman Construction, the following describe the tract or parcel of land, to-wit: Address: Vacant lot located on Beech Avenue and Bolte Road SE. PPIN: 21550. PARCEL: 17-07-26-2-001-002.000. Legal Description: *Commence at the Northwest corner of Section 26, Township 10 South, Range 3 West, thence South 03 degrees 00 minutes East along the section line a distance of 15 feet; thence North 87 degrees 00 minutes East a distance of 15 feet to the point of beginning; thence continue North 87 degrees 00 minutes East a distance of 210 feet; thence South 03 degrees 00 minutes East a distance of 420 feet; thence West and parallel to the North line of said Section 26 a distance of 210 feet; thence North 420 feet to the point of beginning. Containing two (2) acres, more or less.* within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as M-2 Manufacturing District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from M-2 Manufacturing District to B-2 Business District.
2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsized, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.
3. That a public hearing be held relative to the passage of this ordinance on the 8th day of February, 2021 at 7:00 o'clock p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.
4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.
5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance are hereby changed and amended to reflect the changes and amendments herein.
6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this Ordinance.
7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.

Wesley Moore – Cullman City Clerk

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Cullman, Alabama, will hold a public hearing on February 8th, 2021 at 7:00 o'clock p.m. in the Lucille N. Galin Auditorium at City Hall, 204 Second Avenue NE, Cullman, Alabama 35055. At this time anyone wishing to be heard in favor of or in opposition to the adoption of Ordinance No. 2021-20 (set forth in full below) will be given an opportunity to be heard:

ORDINANCE NO. 2021 - 20

TO AMEND THE CITY OF CULLMAN ZONING ORDINANCE

SECTION I. PURPOSE. The purpose of this Ordinance is to modify, amend, or delete portions of the current Zoning Ordinance.

SECTION II. (1) of Section 62-8. – Transitional Rules of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

(1) If development, for which a subdivision plat or building permit was approved prior to the effective date of this Ordinance, fails to meet any time frames in effect for that development at the time of approval, then the approval expires (unless a subdivision has received final plat approval and the final plat has been recorded prior to the passing of this Ordinance); and future development is subject to these Regulations.

SECTION III. The following definitions of Section 62-23. - Definitions of the Code of Ordinances City of Cullman, Alabama, are added as follows:

Place of Worship means a dedicated area for religious worship or meditation.

SECTION IV. The following definitions of Section 62-23. - Definitions of the Code of Ordinances City of Cullman, Alabama, are hereby deleted and replaced with as follows:

Drive-In Restaurant means an establishment where food and drink may be ordered from and delivered to an automobile for consumption primarily on-premises.

Drive-Thru Restaurant means an establishment where food and drink may be, both, ordered from and delivered to an automobile for consumption off-premises or ordered and consumed within the principal building.

SECTION V. (2)(b) Dumpsters of Section 62-40 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

(2) The dumpster must be placed on a concrete pad at least 12 feet wide, 12 feet long and six inches thick and must be screened in accordance with §9.03 Screening. Pad must also have appropriate backstop in place (minimum of 8" curb along back perimeter) to protect from damages. If fencing is installed, a minimum opening width of 12 feet is required.

SECTION VI. Table 4-1: Uses Permitted in Residential Districts (Article IV) of Section 62 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 4-1: Uses Permitted in Residential Districts

	R-1	R-2	R-3	R-4
Residential Uses				
Accessory dwelling, see section 62-94		SE	P	P
Caretaker dwelling	SE	SE	SE	SE
Duplex			P	P
Single-family dwelling, attached, see section 62-93			P	P
Single-family dwelling, detached	P	P	P	P
Multifamily dwelling, more than 4 units per building				P
Quadplex				P
Triplex				P
Day care facilities				
Child or adult day care center		C	C	C
Child day care group home (7—12 children)		C	C	C
Child day care home (up to 6 children)	C	P	P	P
Residential care facilities				
Assisted living facility				C
Emergency care home (see section Code of Ala. 1975, § 11-52-75.1)				P
Family care home (see section Code of Ala. 1975, § 11-52-75.1)			C	P
Independent living facility (up to 6 residents)			C	P
Independent living facility (more than 6 residents)				P
Nursing care facility				C
Transitional care home				C
Other nonresidential uses				
Amateur radio tower	P	P	P	P
Bed and breakfast, see section 62-95	C	C	C	C
Boarding house, see section 62-96			C	P
Cemetery	C	C	C	C
Golf course	C	C	C	C
Home occupation, see section 62-99	SE	SE	SE	SE
Institutional use, low intensity	C	C	C	C
Institutional use, medium intensity	C	C	C	C
Place Worship, Low Intensity	C	C	C	C
Place of Worship, Medium Intensity	C	C	C	C
Parks, playgrounds and nature preserves	C	C	C	C
Public buildings	C	C	C	C
Public utility facility	P	P	P	P
Recreation facility, public	C	C	C	C
Residential (country) club	C	C	C	C

Short-term rentals, subject to section 62-103		P	P	P
Small cell facilities	SE	SE	SE	SE
Telecommunications tower, see section 62-105	C	C	C	C

P — The use is permitted by right.

SE — Special exception, requires approval by the zoning board of adjustments per section 62-184.

C — Conditional use, requires approval by the planning commission per section 62-172.

A blank cell indicates the use is not permitted.

SECTION VII. Table 5-1: Uses Permitted in Nonresidential Districts (Article V) of Section 62 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 5-1: Uses Permitted in Nonresidential Districts

P —The use is permitted by right.

E —The use is permitted by right, if existing as of the effective date of the ordinance from which this chapter is derived. New construction of the use is prohibited.

SE —Special exception, requires approval by the ZBA per section 62-184.

C —Conditional use, requires approval by the commission per section 62-172.

A blank cell indicates the use is prohibited in the district.

Uses	B-1	B-2	B-3	CBD	INST	M-1	M-1P	M-2
Commercial Uses								
Ambulance service	P	P	P	C				
Alternative financial service (with no outdoor storage), see section 62-91	P	P	P	P				
Alternative financial service (with outdoor storage), see section 62-91		P	P					
Automobile repair, major	C	P	P					
Automobile repair, minor	P	P	P	P				
Business or professional office	P	P	P	P				
Business support service	P	P	P	P				
Car wash	P	P	P					
Construction service, major		P	P			C	C	C
Construction service, minor		P	P			C	C	C
Farm support business	C	P	P					
Funeral home	C	P	P	C	C			
Home occupation	P	P	P	P				
Maintenance service	C	P	P					
Medical clinic	P	P	P	P	C			
Mini-storage facility		C	C					
Outdoor storage			C			P	P	P
Parking, commercial	P	P	P	P	C	P		P
Pawn shop	P	P	P	P				
Printing service	P	P	P	P				
Repair service		P	P	P				
Research laboratory	C	P	P	P		P	P	P
School, commercial		P	P	P	C			
Studio	P	P	P	P				
Truck stop			C					
Wholesaling, beer or wine			P			P	P	P
Wholesaling establishment		P	P	P				
Day Care Facilities								
Child or adult day care center	P	P	P	P	P			
Child day care center accessory to a permitted business	P	P	P	P	P	P	P	P
Adult day care home	P							
Child day care group home	P							
Child day care home	P							
Institutional Use								
Low intensity	P	P	C	P	P	C	C	C
Medium intensity	P	C	C	C	P	C	C	C
High intensity	C	C	C	C	P	C	C	C
Place of Worship	P	P	P	P	C	C	C	C
Animal shelter			C		C			
Cemetery		C	C		C			
Hospital		C	C	C	C			
Lodging Uses								
Bed and breakfast, subject to section 62-95	P			P				
Hotel		P	P	P				
Motel		P	P					
Short-term rental, subject to section 62-103	P	P	P	P				
Manufacturing and Industrial Uses								
Bakery, major						P	P	P
Heavy industry						C	C	C
Industrial training center						C	C	C
Junkyard, subject to section 62-100		C	C					
Laundering plant						C	C	C
Manufacturing, general						C	C	C
Manufacturing, light						P	P	P
Recycling center		C	C					
Recycling plant						C	C	C
Warehousing and distribution center						P	P	P
Personal Services								

Laundry services	P	P	P	P				
Personal services	P	P	P	P				
Tattoo facilities, subject to section 62-104			P					
Veterinary hospital, with no outside boarding	C	P	P	C				
Recreation and Entertainment								
Entertainment, indoor	P	P	P	P				
Entertainment, outdoor	C	C	C	C				
Golf course	P	P	P					
Parks, playgrounds and nature preserves	P	P	P	P	P			
Recreation, commercial	C	C	C	C				
Recreation facility, public	C	C	C	C	C			
Residential Care Facilities								
Assisted living facility	P	P	P		C			
Independent living facility	P	P	P					
Nursing care facility	P	P	P		P			
Residential Uses								
Caretaker dwelling	P	P	P	P				
Duplex	E	E	E	E		E		E
Multifamily dwellings (more than 4 units per bldg.)	C	C	C	C				
Quadplex	E	E	E	E		E		E
Single-family attached, subject to section 62-93	E	E	E	E		E		E
Single-family detached	E	E	E	E		E		E
Triplex	E	E	E	E		E		E
Upper-story dwellings, subject to section 62-106	P	P	P	P				
Restaurant								
Brew pub, see chapter 4, City Code, Alcoholic Beverages				P				
Fast food restaurant	P	P	P	C				
Pick-up and delivery only restaurant	P	P	P	P				
Standard restaurant	P	P	P	P				
Standard restaurant with accessory alcohol sales, see chapter 4, City Code, Alcoholic Beverages	C	P	P	P				
Retail								
General, up to 10,000 s.f.	P	P	P	P				
General, larger than 10,000 s.f.	E	P	P	P				
Bakery, minor	P	P	P	P				
Bank	P	P	P	P				
Building supply	C	P	P	C				
Gas station	C	P	P	C				
Heavy equipment and vehicle sales, rental and service						C	C	C
Liquor sales for off-premises consumption, see chapter 4, City Code, Alcoholic Beverages	C	P	C	C				
Specialty beverage store, see chapter 4, City Code, Alcoholic Beverages	P	P	P	P				
Specialty wine and beer establishment, see chapter 4, City Code, Alcoholic Beverages	P	P	P	P				
Tobacco, vape store	P	P	P	P				
Unenclosed retail		C	C					
Vehicle and equipment sales, rental and service		C	P	C				
Vehicle sales, rental and service	C	C	P	C				
Telecommunications and Utilities								
Public utility facility	P	P	P	P	P	P		P
Small cell facilities	P	P	P	P	P	P		P
Telecommunication tower, see section 62-105	C	C	C	C	C	P		P

SECTION VIII. Table 6-1: Uses Permitted in Agricultural Districts of Section 62-82 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 6-1: Uses Permitted in Agricultural Districts

	AG-1	AG-2
Residential Uses		
Accessory dwelling units, subject to section 62-94	P	P
Caretaker dwelling	P	P
Manufactured home park	C	C
Single-family, detached	P	P
Day Care Facilities		
Child day care group home	P	P
Child day care home	P	P
Residential Care Facilities		
Emergency care home	P	P
Family care home	P	P
Transitional care home	C	C
Agricultural and Other Nonresidential Uses		
Amateur radio tower	P	P
Bed and breakfast, subject to section 62-95	C	C
Boarding house, subject to section 62-96	C	C
Campgrounds	C	C

Cemetery	C	C
Golf course	C	C
Home occupation, subject to section 62-99	P	P
Farm support business	C	C
Fish hatcheries	P	P
Kennel	C	C
Institutional use, low intensity	C	C
Institutional use, medium intensity	C	C
Place of Worship	C	C
Livestock farm	P	P
Parks, playgrounds and nature preserves	C	C
Public buildings	C	C
Public utility facility	P	P
Recreation facility, public	C	C
Residential (country) club	C	C
Short-term rentals, subject to section 62-103	C	C
Slaughterhouse	C	C
Stockyard	C	C
Small cell facilities	P	P
Telecommunications towers, subject to section 62-105	P	P
Veterinary hospital, with inside or outside boarding	C	C

P — The use is permitted by right.
E —The use is permitted by right, if existing as of the effective date of the ordinance from which this chapter is derived. New construction of the use is prohibited.
SE — Special exception, requires approval by the zoning board of adjustments per section 62-184.
C — Conditional use, requires approval by the planning commission per section 62-172.
A blank cell indicates the use is not permitted.

SECTION IX. (f) (1) c. Additional Provisions of Section 62-85 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

c. A reduction in the amount of open space or land designated for commercial use by more than five percent but less than 10% but in no case shall be less than the minimum amount defined in Table 6-5 of PUD Development Standards.

SECTION X. Table 6-5: PUD Development Standards of Section 62-85 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 6-5: PUD Development Standards				
Min. Setback from PUD Boundary		15 ft		
PR-1	PR-2	PM-1	PM-2	
Max. Residential Density	6 du/acre	9 du/acre	12 du/acre	16 du/acre
Min. Common Open Space	10%	15%	20%	15%
Min. Land Area Designated for Commercial Uses	n/a	n/a	40%	50%
Min. front yard setback Along arterial Along collector Along local street	25 ft 15 ft 15 ft	25 ft 15 ft 10 ft	25 ft 10 ft 0 ft	25 ft 10 ft 0 ft
Minimum Building Separation for Attached and Multifamily Dwellings				
Front to front; Front to back; back to back	40 ft			
Front to end, Back to end	20 ft if end wall is unpierced 30 ft if end wall is pierced			
End to end	15 ft if end wall is unpierced 25 ft if end wall is pierced			
Any other situation	15 ft			

SECTION XI. (j) Open Space Standards of Section 62-85 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

(j) *Open space standards.* Common open space must be provided in each PUD land use district in the amounts shown in Table 6-5. No designated common open space may be subdivided in the future, nor may it be reduced in area or used for any purpose other than those permitted as listed above unless approved through an amendment to the MDP.

(1) The following are excluded from calculation of common open space:

a. Land within individual lots.

b. Land encumbered by any substantial structure, enclosure or parking facility.

c. Land within eight feet of any building.

d. Land within a roadway, except a median that is at least 50 feet wide at its narrowest point and is designed for use as a recreational space.

e. Land to be used as or be in any required drainage area or easement.

(2) Maintenance provisions must be included in the PUD's Declaration of Covenants, Conditions and Restrictions, consistent with §3.07 Common Open Spaces and Facilities, for all common open spaces not left in a natural state. This includes, but is not limited to, circumstances where the developer no longer has ownership or an association of homeowners has disbanded. Common open space dedicated to the City or other governmental agency for operation and maintenance may not be for the exclusive use of the residents or patrons of the PUD.

(3) The area of common open spaces in each development phase must meet the requirements in Table 6-5 unless otherwise expressly approved as part of the MDP.

SECTION XII. (b) (4) of Section 62-112. – Off-Street Parking of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Shared and Joint Parking. A joint parking area may contain required parking spaces for more than one use, provided the combined number of spaces complies with the parking for all uses. If the combined uses will use the same spaces at different times, the spaces may be credited to each separate use. The applicant must present a joint parking agreement; and, if sharing the same spaces, a time schedule for allocation of the spaces.

SECTION XIII. Table 8-1: Required Off-Street Parking Spaces by Use of Section 62-112 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 8-1: Required Off-Street Parking Spaces by Use	
Agricultural Uses	
Farm	1 per 1.5 employees
Farm Stand	1 per 350 sf of retail floor area
Farm Support Business	1 per 1.5 employees, plus 1 per company vehicle
Stable	1 per 4 persons of occupancy load plus 1 per 1.5 employees
Residential Uses	
Accessory Dwelling	1 per DU
Assisted Living Facility	1 per 4 residents plus 1 per employee
Boarding House	1 per BR
Duplex	2 per DU
Independent Living Facility	1 per 2 DUs plus 1 space per employee
Manufactured Home	2 per manufactured home in a manufactured home park
Multifamily Dwellings	1 per studio or 1-BR unit; 1.5 per 2-BR unit; 2.0 per 3+ BR unit
Single-family Dwelling	2 per DU
Institutional Uses	
Club, Private	1 per 200 sf of non-storage and non-service floor area
Community Center	1 per 400 sf of GLA
Country Club	1 per 4 persons of occupancy load
Day Care Center	1 per employee, plus 1 stacking or parking space per 8 persons enrolled of occupancy load
Group Care Home	1 per 4 beds plus 1 per employee
Hospital	1 per 2 patient beds plus 1 per emergency room bed plus 1 per employee
Library	1 per 500 sf of GLA
Nursing Care Facility	1 per 4 beds plus 1 per employee
Place of Assembly	1 per 4 seats in the main assembly space
Public Facility	1 per 400 sf of GLA
Rehabilitation Facility	1 per 4 beds plus 1 per employee
School, College or University	as determined by the Commission
School, Elementary or Junior High/Middle	1 per classroom, plus either 1 per employee or 1 per 4 seats in the main assembly space (whichever is greater)
School, High	1 per 8 students of occupancy load, plus either 1 space per classroom or 1 per 4 seats in the main assembly space (whichever is greater)
Commercial Uses	
Automobile Dealership	1 per 200 sf of interior sales area plus 1 per 4,000 sf of outdoor display area plus 1 stacking space per service bay
Automobile Parts Store	1 per 400 sf of GLA plus 1 per employee
Automobile Rental Establishment	1 per 400 sf of GLA plus 1 per rental vehicle
Automobile Repair Service	1 per employee plus 2 stacking spaces per service bay plus 1 per company vehicle
Bank (no drive-thru)	1 per 350 sf of GLA
Bank (drive-thru only)	1 per 2 employees plus 3 stacking spaces per teller
Bank (with drive-thru)	1 per 350 sf GLA plus 3 stacking spaces per teller
Barber or Beauty Shop	1.5 per chair
Bed and Breakfast	1 per guest bedroom plus 2 spaces
Bowling Alley	2 per bowling lane
Call Center, Telemarketing Office	1 per 150 sf of GLA or 1 per employee, whichever is greater
Car Wash (full service or automated)	1 per employee plus 4 stacking spaces per bay
Car Wash (self-service)	3 stacking spaces per approach lane plus 2 drying spaces per stall
Clinic	6 per practitioner
Commercial School	1 per 3 students of occupancy load plus 1 per employee
Dry Cleaning Pick-Up	1 per 300 sf of GLA
Funeral Home	1 per 1 employee plus 1 per 4 seats of occupancy load plus 1 per company vehicle
Furniture Store	1 per 600 sf of GLA
Service Station	2 per service bay plus 1 per company vehicle plus 1 per employee plus 1 stacking space per fuel island
Gas Station / Convenience Store	1 per 300 sf of GLA plus 1 stacking space per fuel island
General Retail Business	1 per 300 sf of GLA
Home Improvement or Appliance Store	1 per 500 sf of GLA
Hotel or Motel	1 per room plus 1 per employee

Laundromat	1 per 2 washing machines
Mini-warehouse	5 spaces (adjacent to leasing office, if any)
Office, business or professional	1 per 400 sf of GLA
Movie Theater	1 per 3 seats
Outdoor Recreation Golf Course: Miniature Golf: Golf Driving Range: Other:	3 per hole 1 per hole 1 per tee 1 per 4 persons of occupancy load
Pool Hall	2 per 3 tables
Restaurant, Pick-up and delivery only	1 per employee plus 1 per 350 sf of GLA
Restaurant, Drive-in	1 per ordering station plus 1 per employee
Restaurant, Drive-thru	1 per 2 seats of occupancy load plus 4 stacking spaces per drive-thru window
Restaurant, Standard	1 per 2 seats of occupancy load
Shopping Center Complex	6 for each 1,000 sf of total floor area of all buildings in the complex, excluding mechanical and storage areas
Unenclosed Retail	1 per 600 sf of display area plus 1 per employee
Veterinary Hospital	1 per 300 sf of GLA
Industrial Uses	
General Industry and Manufacturing, Research Laboratory and similar uses	1 per 1,000 sf of GLA
Warehouse, distribution and wholesale Business	1 per 1 employee plus 1 per company vehicle but not less than 1 per 500 sf of GLA
Any use otherwise not specified	1 per 200 sf of floor area

SECTION XIV. Table 8-2: Typical Shared Parking Demand by Use and Time of Day of Section 62-112 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety.

SECTION XV. Table 9-1: Buffer Requirements by Use of Section 62-122 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 9-1: Buffer Requirements By Use

Developing Land Use	Existing Abutting Use						
	Single-family		Multi-family	Lodging	Institutional	Business	Parks & green-ways
	detached	attached			low/medium/high		
Residential and Lodging	Buffer Class Required						
Detached, single-family	n/a	n/a	A	A	A	A	n/a
Attached, single-family	A	n/a	A	A	A	A	n/a
Multifamily	B	A	n/a	n/a	n/a	n/a	n/a
Lodging	B	B	A	n/a	n/a	n/a	n/a
Manufactured home parks	B	B	B	B	A	B	A
Institutional							
Low intensity	A	A	n/a	n/a	n/a	n/a	n/a
Medium intensity	A	A	A	n/a	n/a	n/a	A
High intensity	B	B	B	A	A	n/a	A
Business/Commercial							
Offices up to 50,000 sf	A	A	A	n/a	A	n/a	A
Offices greater than 50,000 sf	B	B	B	A	B	n/a	A
Amusement; outdoor entertainment	B	B	B	A	B	n/a	A
Retail, shopping centers, and restaurants up to 50,000 sf	B	B	A	A	A	n/a	A
Retail, shopping centers, and restaurants greater than 50,000 sf	B	B	B	A	B	n/a	A
Heavy commercial, including repair, contractor and automotive uses	B	B	B	A	B	n/a	A
Industry							
Warehousing, storage, and public utility facilities	C	C	C	C	C	B	B	A	B
Other industrial uses	C	C	C	C	C	C	C	B	B

Planting Requirements by Buffer Class

Buffer Class	Width		Required trees per 120 lf (without fence)
	With fence/wall	Without fence/wall	
A	10 ft	15 ft	6
B	10 ft	15 ft	8
C	25 ft	30 ft	10

SECTION XVI. Section 62-124. – Landscaping for Vehicular Areas of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Section 62-124. – Landscaping for Vehicular Areas.

Landscaping must be provided in vehicular areas of nonresidential, multifamily and mixed-use developments that are used for off-street parking and loading; vehicular storage, display, maneuvering and washing; and the dispensing of motor fuels. Such landscaping shall be provided in such a manner as to break up the expanse of paving, facilitate the safe circulation of pedestrian and vehicular traffic and provide valuable shade for pedestrians and/or vehicles.

(1) Requirements.
   a. Required trees must be a species that reaches a mature height of at least 20 feet.
   b. Interior Landscaping. Five percent of the area of any surface parking lot that has over twenty spaces must be interior landscaping, such as islands and peninsulas. Trees must be included within interior landscaped areas and evenly distributed in combination with other landscaping.
   c. Perimeter Landscaping, including street frontage. Vehicular areas must be separated from lot lines by a landscaping strip at least five feet wide planted with shrubs and one tree per 100 ft. of lot line.
      1. Where this conflicts with buffer or other landscaping requirements, the greater requirement governs.
      2. Driveway connections between adjacent businesses and other compatible uses are encouraged and are not included in calculation of perimeter tree requirements.
      3. Shrubs used must be detailed on site plan submittal.

(2) City and state rights-of-way. All landscaping within city or state rights-of-way, other than that performed by the city or state, is the sole responsibility of the adjoining property owner to maintain. The property owner should secure a written agreement with the proper authority prior to landscaping any portion of a right-of-way. The city or state will not be responsible for damages to landscaping materials in rights-of-way, during street or utility repairs or maintenance activities.

SECTION XVII. Section 62-125. – Design Standards for Fences of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Section 62-125. – Design Standards for Fences.

Fences must be masonry, durable wood, or a combination thereof. Chain-link can be used to meet landscaping requirements but has to have prior approval from the building official as it should only be used for particular instances. Untreated wood, plastic or wire fencing cannot be used to meet landscaping requirements. No more than 25% of the fence surface may be left open. The finished side of the fence must face abutting property or public views.

SECTION XVIII. Section 62-144. Signs and advertising structure permits of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Section 62-144. Signs and Advertising Structure Permits.

A. Except where this ordinance explicitly exempts a sign, all signs erected shall require a sign permit issued by the Building Inspections Department.

B. Permit exceptions: The repairing, cleaning, touch-up painting, or bulb replacement and other normal maintenance to prolong the life of a sign shall not require a sign permit. Any maintenance to improve the structural integrity of the sign must be permitted. Changing the logo or name of any sign face shall not require a permit.

C. Any sign or advertising structure shall be subject to a building permit being issued. The fee for said permit shall be governed by the permit fee schedule adopted by the City of Cullman. Each permit application shall be accompanied by plans which show the following:

D. Application; contents. Each permit application shall be accompanied by plans which show the:

1) Indicate the proposed site by identifying the property owner, location, present use, and zoning district.

2) Show location of the sign on the lot in relation to the property lines, existing signs and structures.

3) Show complete structural specifications for all signs including footings, anchoring, and support for projecting signs and outdoor advertising structures. Such structural specifications must comply with the latest building related codes adopted by the City of Cullman. Signs exceeding 60 sf or any sign in excess of 20 ft in height shall be designed by an engineer registered in the State of Alabama, and said engineer shall place his official seal and signature to said structural specifications.

4) No permit shall be required for signs measuring seven square feet or less in area.

5) Additional information needed to determine if such sign is to be erected in conformance with this ordinance.

E. Sign area shall be the total of all signs on site (including wall signs, ground/monument signs, pole/pylon sign, etc.) If double-sided sign, only one face is calculated in the sign area.

F. Individual Businesses. signs shall be limited to an area equal to 2 square feet of sign for every 1 linear foot of building face OR 1 square foot of sign for every 1 linear foot of lot frontage, whichever is greater. If a corner lot, the building face and lot frontage may be measured along all facing streets.

G. Shopping Centers. allowed to have an additional locator sign at entrance(s) to development. These signs shall be limited to an area equal to 2 square feet of sign for every 1 linear foot of building face.

H. Residential developments. Includes single-family dwellings, duplexes, apartments, etc. Signs are permitted at each side of main entrance(s) Individual signs shall be limited to 120 square feet of area and shall be of ground or monument type only.

I. Projecting signs with two or more faces extending perpendicular from the building wall shall not project more than six feet from the wall.

J. Projecting signs shall not exceed 24 square feet in area and shall provide at least nine feet clearance underneath the sign.

K. Canopy or marquee signs may be attached to roof-like structures extending from a building wall or covering a fuel service island provided such signs are made a part of the canopy or marquee and do not extend beyond its face.

L. Attached signs shall not be placed upon any roof surface unless such roof has a pitch or 45 degrees or more.

M. The height of any attached sign shall not extend above the highest point of the roof line.

N. Wall signs with a single face mounted parallel to a building face shall not project more than 12 inches from the building wall and shall not extend beyond the limits of the building face.

SECTION XIX. Chapter 44, Signs and Billboards, of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety.

SECTION XX. SEVERABILITY CLAUSE. 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.

SECTION XXI. EFFECTIVE DATE. This ordinance shall be effective following its passage, approval and publication as required by law.

Wesley Moore – Cullman City Clerk

ORDINANCE NO. 2021 – 16
TO AMEND SECTION 56 OF THE CITY OF CULLMAN CODE OF ORDINANCES
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

Section 1. Section 56-51 of the Code of Ordinances City of Cullman is hereby amended by adding the following definitions:

Sec. 56-51. - Definitions.

ADMI means the American Dye Manufacturers Institute color units.

Color means the true color as established by standard method due to the substances in solution expressed in ADMI units.

Objectionable Color means any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions that is above the ADMI number for Daily Maximum Concentration, mg/l.

Section 2. Section 56-121 of the Code of Ordinances City of Cullman is hereby amended deleted in its entirety and replaced with the following definitions:

Sec. 56-121. - General discharge prohibitions—Domestic and non-domestic.

(a) No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will pass through or interfere with the operation or performance of the city's wastewater collection and/or treatment facilities. These general prohibitions apply to all such users of the city's wastewater facilities whether or not the user is subject categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.

(b) A user may not discharge to the city's wastewater collection and treatment facilities any of the following:

(1) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the city's wastewater facilities or to the operation of the city's wastewater treatment facilities. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Prohibited material include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides and any other substances which the city, the state or EPA has notified the User is a fire hazard or a hazard to the system.

(2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: garbage with particles greater than one-half inch in any dimension, grease, animal guts or tissues, paunch manure, bones, hair, hides, or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, sheets, pillowcase, eggshells, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues from refining, or processing of fuel or lubricating oil, mud, glass grinding or polishing wastes.

(3) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with the other pollutants, to injure or interfere with any wastewater treatment process, constitutes a hazard to humans or animals, health, safety or the environment, create a toxic effect in the city's wastewater treatment facilities or receiving water, or to exceed the limitations set forth in a categorical pretreatment standard or requirement of this article, the Alabama Water Pollution Control Act, or the Federal Pretreatment Regulations.

(4) Toxic pollutants including pollutants identified pursuant to Section 307(a) of the Act, hazardous constituents or wastes under RCRA, hazardous substances under CERCLA, except as specifically authorized under this article, permit or other authorization issued by the city.

(5) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

(6) Any substances which may cause the city's wastewater treatment facilities effluent or any other product of the city's wastewater treatment facilities such as residues, sludge, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the city's wastewater treatment facilities cause the city's wastewater treatment facilities to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge used or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State Criteria applicable to the sludge management method being used.

(7) Any substance which will cause or has the reasonable potential to cause or contribute to an exceedance of any effluent limitation, exceedance or excursion of any water quality criteria or standard, or non-compliance with any condition set forth in the city's NPDES and/or state disposal system permit, receiving water quality standards, or any applicable Federal, state, or local law.

(8) Any pollutants released at a flow rate and/or pollutant concentration which alone or in conjunction with other discharges causes interference to the city's wastewater treatment facilities.

(9) Any wastewater containing any radioactive wastes or isotopes except in compliance with applicable federal, state, and local law and regulations and as specifically authorized by the city.

(10) Any wastewater which causes a hazard to human life or creates a public nuisance.

(11) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, condensate, deionized water, cooling water and unpolluted industrial wastewater, unless specifically authorized by the city.

(12) Medical wastes or wastewater, except as specifically authorized by the city.

(13) Wastewater causing, alone or in conjunction with other sources, the POTW's effluent to fail a toxicity text.

(14) Wastes prohibited by this section shall be processed or stored in such a manner that these wastes could not be discharged to the city's wastewater system. All floor drains located in process or materials storage areas must discharge to the user's pretreatment facility before connecting with the city's wastewater system.

(15) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye or ink wastes, and vegetable tanning solutions.

(16) Any wastewater having a temperature which will inhibit biological in the city's wastewater treatment plant resulting in interference, but in no case wastewater with a temperature and /or in such quantities that the temperature at the POTW exceeds 40°C (104°F).

(17) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(18) Any wastewater or wastes containing a toxic or poisonous substance(s) or any other material in sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, or crate any hazard in the receiving waters of the sewage treatment plant, and without proper pretreatment and written approval of the council.

(19) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create public nuisance or hazard to life or are sufficient to prevent entry into the sewer for maintenance and repair.

(20) Any wastewater or wastes having an objectionable color which is not removable in the existing sewage treatment plant process.

(21) Any long half-life (over 100 days) of toxic radioactive isotopes, without special permit.

(c) In no case shall a slug load have a flow rate or contain concentration or qualities of pollutants that exceed for any time period longer than 15 minutes in each 24-hour period more than five times the average 24-hour concentration, quantities, or flow during normal operation, or exceed the maximum concentration or qualities of pollutants established in this article or any permit or authorization issued by the city or council. Normal operation is defined as the operational characteristics as described in any permit or authorization issued by the city or council, or in the absence of a permit or authorization, operational characteristics as submitted by the user in any application, industrial waste survey, or other documentation provided to the city or council, and/or ADEM.

(d) The director or his designee bearing proper credentials and identification shall be permitted to enter properties without delay at any reasonable time for the purposes of inspection, observation, measurement and sampling of the wastewater discharge to ensure that the discharge to the POTW is in accordance with the provisions of this chapter. Users shall allow the director ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

(e) The director may, after informal notice to the discharger, take whatever steps are reasonably necessary to immediately temporarily suspend a user's sewer use permit, or impose temporary restrictions on discharges, or halt and prevent the discharge of pollutants to the POTW which reasonably appear to present an immediate endangerment to the health or welfare of persons. If the director determines that an industrial user's discharge to the POTW does not present an immediate endangerment to the health or welfare of persons, but presents or may present an endangerment to the environment or threatens to interfere with the operation of the POTW, he shall notify the discharger in writing setting forth sufficient facts to describe the violation and allowing a

reasonable period of time, which shall be stated in the notice, to respond or to abate or correct the violation and if the response or actions of the discharger do not result in abatement and correction within such reasonable period of time, the director may take action as reasonably necessary to halt or prevent the discharge.

Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution.

(f) In the event of a user's failure to voluntarily comply with the suspension order, the director shall take such steps as the director necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The director shall allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the city that the period of endangerment has passed, unless termination proceedings are initiated against the user.

A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the director prior to the date of a public hearing set as follows below.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

(g) If an official who has a duty to perform under this Code and who has presented appropriate credentials has been refused access to private or public property, or any building, structure or land or any part thereof, and if such official has probable cause to believe that there may be a violation of this chapter or that this Code authorizes the official to conduct an inspection and/or collect one or more samples in order to verify compliance with this chapter or any permit or order issued under this chapter, or to protect the overall public health, safety and welfare of the community, then upon application by the city attorney to the municipal court judge and a showing of the above, the municipal court judge of the city shall issue a suitably restricted administrative warrant authorizing an official of the city to search the specific location subject to the warrant and to collect samples as may be necessary to determine compliance with this code. Any such warrant shall only be served at reasonable hours and only by the director or his authorized representative in the company of a uniformed police officer of the city.

(h) When, at any time, the director determines that a user(s) is contributing to the city's wastewater treatment facilities, any of the above enumerated substances in such amounts as to interfere with the operation of the city's wastewater treatment facilities, the city may:

1. *Notification of violation*. Whenever the director finds that any user has violated or is violating this chapter, a wastewater contribution permit or order issued under this chapter, or any other pretreatment standard or requirement, the director or his authorized representative may serve upon the user a written notice of violation. Within the time specified in the notice, thirty (30) days, the user shall submit an explanation of the violation and a permanent plan for the satisfactory correction and prevention thereof, including specific required actions, to the director. Submission of this plan in no way relieves the user of liability for any violation occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the director to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.
2. *Consent orders*. The director is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Any such orders will include specific action to be taken by the user to correct the noncompliance within a time period also specified in the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to subsections (d) or (e) of this section.
3. *Show cause hearing*. The director may order any user which causes or contributes to a violation of this chapter, a violation of a wastewater contribution permit, or a violation of an order issued under this section, or a violation of any other pretreatment standard or requirement, to appear before the council and show cause why a proposed enforcement action should not be taken. Notice shall be served on the user specifying the time, place and location for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the meeting may be served personally or by registered or certified mail, return receipt requested. Such notice may be served on any authorized representative of the user. Whether or not the user appears as ordered, immediate enforcement action may be pursued following the hearing. A show cause hearing shall not be a prerequisite for taking any other action against the user.
4. *Compliance orders*. When the director finds that a user has violated or continues to violate this chapter, wastewater contribution permits or orders issued under this article, or any other pretreatment standard or requirement, the director may issue an order to the user responsible for the discharge directing that the user come into compliance within a time as specified by the director. If the user does not come into compliance within the time specified by the director, the council may discontinue sewer service unless adequate treatment facilities, devices or other related appurtenances are installed and properly operated.

   Compliance orders may also contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the POTW. A compliance order may not extend the deadline for compliance established for a federal pretreatment standard or requirement, nor does a compliance order release the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a prerequisite to taking any other action against the user.
5. *Cease and desist orders*. When the director finds that a user is violating this chapter, the user's wastewater contribution permit, any order issued under this section, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the council may issue an order, at the director's request, through the director to the user ordering it to cease and desist all such violations and directing the user to:
   a. Immediately comply with all requirements.
   b. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.
6. *Issuance of order*. Issuance of a cease and desist order shall not be a prerequisite to taking any other action against the user.
7. *Issuance of administrative fine*. When the council finds that a user has violated or continues to violate any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the council may fine such user a mitigating cost consisting of all costs associated with the city being forced to remedy the situation in order to comply with ADEM regulations, not exceeding $12,000.00. Such fines shall be assessed on a per occurrence violation, per day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

   Users desiring to dispute such fines must file a written request for the director to reconsider the fine, along with full payment of the fine amount, within 15 days of being notified of the fine. The director shall convene a public hearing on the matter within 30 days of receiving the request from the user in the presence of the council. The director must notify the user in writing of the date, location, and time that the accused shall be heard before the council. If the council determines that the user's appeal is meritorious, then the fine shall be abated and returned to the user. If the council determines the appeal to be without merit, then the council may add administrative enforcement actions, such as notices and orders in addition to the fine.

(i) If a person violates this chapter, a wastewater contribution permit or any order issued under this article, the director may cause a municipal court summons to be issued and he may also request the city attorney to institute the appropriate legal proceedings to obtain an injunction to restrain, correct or abate such violation of the provisions of this Code.

(j) Penalties:

1. *Civil penalties.* Failure to comply with an order which has been duly posted, which interferes with the POTW or significantly contributes to any violation or requirement of the POTW's permit or any violation of any of the provisions of this chapter or the failure to comply with any order, permit, or certificate issued under the provisions of this chapter shall be subject to civil penalties not to exceed $1,000.00 per day per violation.

Section 3. All other sections of said Ordinance shall remain in full force and effect.

Section 4. That this ordinance shall take effect upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 11th day of January, 2021. /s/Jenny Folsom - President of City Council

ATTESTED BY: /s/Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 11th day of January, 2021. /s/Woody Jacobs – Mayor

PB WIL BK 99 PG 390 - 12/28/2020 11:43 AM
Tammy Brown, Judge of Probate, Cullman County, AL

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN RE: THE ESTATE OF *
SUE HUMPHRIES, * **CASE NO.: PC 2020-351**
Deceased. *

NOTICE TO CREDITORS

TAKE NOTICE that Letters of Testamentary having been granted to Glenda Bryan as Personal Representative of the Estate of Sue Humphries, deceased, on the 28th day of December, 2020, by the Honorable Tammy Brown, Judge of Probate.

NOTICE IS HEREBY GIVEN that all persons having claims against the said Estate are hereby required to present the same within the time allowed by law or the same will be barred.

Glenda Bryan,
Personal Representative

Maia Niemann
Attorney for Personal Representative
Hinson & Hinson, P.C.
4010 Pepperwood Circle SW
Huntsville, AL 35758

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

Please publish the above Notice once a week for three consecutive weeks and send an affidavit of Publication to the Judge of Probate.

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

PB MIN BK 193 PG 240 - 01/08/2021 02:33 PM
Tammy Brown, Judge of Probate, Cullman County, AL

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN RE: THE ESTATE OF)
WARNER M. MERCER,) CASE NO PC2018-197
Deceased.)

NOTICE OF HEARING
PETITION OF PERSONAL REPRESENTATIVE FOR FINAL SETTLEMENT AND DISTRIBUTION
AND
AMENDED PETITION OF PERSONAL REPRESENTATIVE FOR FINAL SETTLEMENT AND DISTRIBUTION

TO: EDWARD WEBB, TOM WEBB, RENEE RYDER MORTON, RHETT RYDER, THOMAS RYDER, PHILLIP ALLEN MORRIS AND ANY KNOWN OR UNKNOWN NEXT OF KIN OR INTEREST PARTIES

Please take notice that a hearing on the Petition of Personal Representative for Final Settlement and Distribution and Amended Petition of Personal Representative for Final Settlement and Distribution filed by Pamela E. Nail, Attorney for John Cruce, Personal Representative of the Estate of Warner M. Mercer, is set for hearing on the **25th day of February, 2021, at 9:30 A.M.**. Before Tammy Brown, Judge of Probate, Cullman County Courthouse, 500 2nd Avenue SW, Room 101, Cullman, Alabama 35055.

Done this the 8th day of January, 2021.

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

Pamela e. Nail
Attorney for Personal Representative
200 Second Avenue SW
Cullman, AL 35055

DISTRICT COURT OF CULLMAN COUNTY
500 2nd Ave NW
Room 303
Cullman, AL 35055

Walker Brothers, LTD

(Plaintiff)

v Case No. SM-2017-900938

Adam Couey

(Defendant)

NOTICE OF FILING OF LAW SUIT

Defendant, Adam Couey, whose whereabouts are unknown, must answer the complaint brought against him her by the Plaintiff, Walker Brothers, LTD for $537.75 plus court cost, cause of action being: Open Account.

ANSWER TO THE COMPLAINT MUST BE MADE BY THE SAID DEFENDANT on or before the 26th day of January, 2021, or a default may be rendered against him her in the above styled cause.

Dated this the 17 day of December, 2020

LISA MCSWAIN
CIRCUIT COURT CLERK
CULLMAN COUNTY, ALABAMA

PB WIL BK 99 PG 382 - 12/28/2020 09:19 AM
Tammy Brown, Judge of Probate, Cullman County, AL

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN RE: The Estate of *
JOHN MCCARTY OLIVER, * **CASE NO. PC 2020 - 365**
Deceased. *

NOTICE TO CREDITORS

TAKE NOTICE: Letters Testamentary having been granted to SAMUEL JOHN OLIVER, III, as Executor of the Estate of JOHN MCCARTY OLIVER, deceased, on the 28th day of December, 2020, 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.

Samuel John Oliver, III
SAMUEL JOHN OLIVER, III
Executor

Gaynor St. John

Shay Persall

Attorneys for Executor

ST. JOHN & ST. JOHN, LLC
108 3rd Street SE
Cullman, AL 35055
Telephone: (256) 734-3542

TO: The Publisher of The Cullman Tribune:

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

Tammy Brown
Tammy Brown, Probate Judge

IN THE JUVENILE COURT OF CULLMAN COUNTY, ALABAMA

IN RE:)
H.L.) CASE NO. JU 2017-003.04
A Minor Child, 11/05/2007)

NOTICE

The Petitioner having made a Motion for Service by Publication in the above styled action, it is

ORDERED AND ADJUDGED that Ashley Loggins, the Mother of H.L., born on or about 11/05/2007, respond to the Petition by the 26 day of January, 2021, or thereafter a judgment may be rendered in favor of the Petitioner.

Contact may be made: Attorney for Petitioner: Michael J. Baggett, 206 Ninth Street SW, Cullman, AL 35055, (256) 737-0740 or Clerk of Court: Lisa McSwain, 500 2nd Ave SW Cullman, AL 35055.

DONE this the 15 day of December, 2020.

WELLS R. TURNER, III
JUVENILE JUDGE
CULLMAN COUNTY, ALABAMA

STATE OF ALABAMA, CULLMAN COUNTY
I, Lisa McSwain, Clerk of Circuit Court in and for said County and State, hereby certify that the within and foregoing is a true and correct copy as the same appears of record in this office.

Witness my hand and official seal, this 16th day of December, 2020.

Lisa McSwain
Clerk of Circuit Court

FILED IN OFFICE
DEC 15 2020
LISA McSWAIN
CIRCUIT CLERK
CULLMAN COUNTY

DISTRICT COURT OF CULLMAN COUNTY

500 2nd Ave SW

Room 303

Cullman, Al 35055

Gena Ibrahim

(PLAINTIFF)

VS CASE NO: SM-2018-901050

Stacey Yarbrough

Carrie Yarbrough

(DEFENDANTS)

NOTICE OF FILING OF LAW SUIT

DEFENDANT(S), Stacey Yarbrough & Carrie Yarbrough, whose whereabouts are unknown, must answer the complaint brought against him/her by the PLAINTIFF, Gena Ibrahim, for $3,497.76 plus court cost, cause of action being: Unpaid rent and damage to dwelling and mess to be cleaned up.

ANSWER TO THE COMPLAINT MUST BE MADE BY THE SAID DEFENDANT on or before the 26th day of January, 2021, or a default may be rendered against him/her in the above styled cause.

DATED THIS THE 18th DAY OF December, 2020.

LISA MCSWAIN
CIRCUIT COURT CLERK
CULLMAN COUNTY, ALABAMA

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Cullman, Alabama, will hold a public hearing on February 8th, 2021 at 7:00 o'clock p.m. in the Lucille N. Galin Auditorium at City Hall, 204 Second Avenue NE, Cullman, Alabama 35055. At this time anyone wishing to be heard in favor of or in opposition to the adoption of Ordinance No. 2021-21 (set forth in full below) will be given an opportunity to be heard:

ORDINANCE NO. 2021 – 21
AMENDING ORDINANCE NO. 2004-03 AND THE ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, Apel Enterprises, LLLP, the following describe the tract or parcel of land, to-wit: PPIN: 1012 PARCEL: 17-07-26-1-001-001.000. Legal Description: *The Northeast Quarter of the Northeast Quarter of Section 26, Township 10 South, Range 3 West, Cullman County, Alabama, containing 40 acres more or less.* within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as PUD for PR-1 Planned Unit Development for Limited Residential District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from R-1 Residential District to PR-1 Planned Unit Development for Limited Residential District.

2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsized, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.

3. That a public hearing be held relative to the passage of this ordinance on the 8th day of February, 2021 at 7:00 o'clock p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.

4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.

5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance are hereby changed and amended to reflect the changes and amendments herein.

6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this Ordinance.

7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.

Wesley Moore – Cullman City Clerk