

CULLMAN CITY COUNCIL MEETING ON JANUARY 23RD, 2017 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Garlan Gudger called the Cullman City Council Meeting to order at 7:07 o'clock p.m. on Monday, January 23rd, 2017. Pastor Joe McNulty presented the invocation.

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

Council President Garlan Gudger asked the Council to consider the minutes from January 16th, 2017. Council Member Cook made a motion to suspend the rules to consider the minutes. Council Member Hollingsworth seconded the motion to suspend the rules, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council Member Cook: Aye. Council President Gudger: Aye. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye. Council Member Cook made a motion to approve the minutes from January 16th, 2017 as written. Council Member Folsom seconded the motion to approve the minutes, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council Member Cook: Aye. Council President Gudger: Aye. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA - None.

REPORTS OF STANDING COMMITTEES

1. Public Safety Committee - Chairman Andy Page recognized John Heinel retired from the Fire Department with 37 years of service.
2. Utilities Committee - Chairman Garlan Gudger - No report.
3. Public Works Committee - Chairman Johnny Cook stated that Cullman was received the Tree City Award for the 29th year.
4. Tourism Committee - Chairman Clint Hollingsworth - No report.
5. General Government Committee - Chairwoman Jenny Folsom - No report.

REPORT FROM THE MAYOR - Mayor Woody Jacobs announced that Lake Catoma's water level rose 10.5 feet due to the heavy rains over the weekend and that the City of Cullman is now in Phase 1 Water Conservation instead of Phase 3 Water Conservation.

COMMENTS FROM ANYONE NOT ON THE AGENDA - None.

PUBLIC HEARINGS - Council President Gudger opened a public hearing at 7:11 p.m. for Ordinance No. 2017-08 to vacate and surplus Charles Avenue SW which received an unfavorable recommendation from the City of Cullman Planning Commission. Chris and Carmen Edmondson, who lives at the corner of Charles Avenue and Miller Street SW, requested the vacation because their house floods when it rains. Bobby Eidson disapproved of the vacation because it would land lock his property and make it worthless. Chief Building Official Rick Fulmer recommended the Council not approve this vacation. Council President Gudger asked Mayor Jacobs to try to resolve the flooding issue. Council President Gudger closed the public hearing at 7:21 p.m.

PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS & COMMUNICATIONS

Council Member Folsom made a motion to approve the request from Police Chief Kenny Culpepper to purchase from the state bid list a 2017 Chevrolet Tahoe from Donohoo Chevrolet in the budgeted amount of \$30,793. Council Member Hollingsworth seconded the motion to approve the request, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Page made a motion to approve the request from Melissa Aaron of East Elementary PTO for a special event permit to hold a 5K Color Run on Saturday, March 18th, 2017 on the city streets surrounding East Elementary School to raise money for new playground equipment. Council Member Hollingsworth seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Folsom made a motion to approve the request from Garage Superintendent Mason Kugler to purchase the installation of a bolt-on conversion kit for the alignment rack from Automotive Equipment Warehouse in the budgeted amount of \$5,786.43. Council Member Hollingsworth seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Folsom made a motion to amend the budget and approve the request from Economic Development Director Peggy Smith to competitively bid or purchase from the state bid list a vehicle in the estimated amount of \$45,000. Council Member Hollingsworth seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Council Member Cook made a motion to suspend the rules to consider Ordinance No. 2017-08 to vacate and surplus Charles Avenue SW which received an unfavorable recommendation from the City of Cullman Planning Commission. Council Member Folsom seconded the motion, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council

Member Page: Aye. Council Member Cook: Aye. Council President Gudger: Aye. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye. Council Member Page made a motion to approve the following ordinance:

ORDINANCE NO. 2017 – 08

TO DECLARE CERTAIN PROPERTY SURPLUS WHICH IS NO LONGER NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES BY THE CITY OF CULLMAN, ALABAMA

BE IT ORDAINED by the City Council of the City of Cullman, Alabama, as follows:

SECTION 1. It is hereby established and declared that the following described real property of the City of Cullman, Alabama, is no longer needed for public or municipal purposes, to-wit: “A parcel of land, otherwise known as an undeveloped portion of Charles Avenue SW, which is fifty feet by seven hundred and twenty-eight feet, more or less, located directly west of Charles Avenue SW.”

SECTION 2. That the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Cullman, Alabama, a warranty deed, a copy of which is on file in the office of the City Clerk, whereby the City of Cullman does convey the premises described Section 1 hereof to the adjoining property owners for its fair market value.

SECTION 3. This ordinance shall become effective upon its passage and publication as required by law.

Council Member Folsom seconded the motion to approve Ordinance No. 2017-08, and the motion was rejected by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Nay. Council Member Cook: Nay. Council President Gudger: Nay. Council President Pro-Tem Folsom: Nay. Council Member Hollingsworth: Nay.

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

RESOLUTION NO. 2017 – 45

TO ENTER INTO CONTRACT WITH TERRACON CONSULTANTS, INC.

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with Terracon Consultants, Inc. for testing services at the Eva Road Bridge and the Old City Garage Site in the budgeted amount not to exceed \$19,410;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter a contract with Terracon Consultants, Inc. for testing services at the Eva Road Bridge and the Old City Garage Site in the budgeted amount not to exceed \$19,410.

ADOPTED BY THE CITY COUNCIL this the 23rd day of January, 2017.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 23rd day of January, 2017.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NO. 2017 - 46

TO APPROVE THE ANNUAL WORKERS’ COMPENSATION INSURANCE COVERAGE

WHEREAS, the City Council of the City of Cullman has determined that the annual workers’ compensation insurance coverage must be renewed by January 31st, 2017;

WHEREAS, the following quotes were received:

Alabama Municipal Workers Compensation Fund	Montgomery, Alabama	\$ 354,137
Smith-Gray Insurance Agency, Inc. (Travelers)	Cullman, Alabama	\$ 349,938

THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to renew the annual workers’ compensation insurance coverage with Smith-Gray Insurance Agency, Inc. (Travelers Companies).

ADOPTED BY THE CITY COUNCIL this the 23rd day of January, 2017.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 23rd day of January, 2017.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NO. 2017 - 47

TO INCREASE THE MINIMUM STAFFING IN FIRE DEPARTMENT AND ELIMINATE THE WEATHER STAFFING

WHEREAS, based upon ISO standards, Fire Chief Edward Reinhardt has recommended increasing the minimum staffing for City of Cullman Fire Department from nine to thirteen members per shift;

WHEREAS, Fire Chief Edward Reinhardt has also determined that increasing minimum staffing per shift will eliminate the need for a minimum weather staffing policy for City of Cullman Fire Department;

THEREFORE, BE IT RESOLVED by the Cullman City Council that Mayor Woody Jacobs is hereby authorized to implement an increase in minimum staffing for the City of Cullman Fire Department from nine to thirteen members per shift if his further research into this request finds that it is warranted and in the best interests of the City of Cullman.

BE IT FURTHERMORE RESOLVED by the Cullman City Council that Resolution No. 2010-38, which established minimum weather staffing for the City of Cullman Fire Department, is hereby rescinded.

BE IT FURTHER RESOLVED by the Cullman City Council upon implementation of 13-member minimum staffing per shift that Resolution No. 2010-37, which established nine members per shift minimum staffing for the City of Cullman Fire Department, is also hereby rescinded.

ADOPTED BY THE CITY COUNCIL this the 23rd day of January, 2017.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 23rd day of January, 2017.

/s/ Woody Jacobs - Mayor

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

Council President Gudger asked for the City Council and Mayor to consider Board Appointments: Council Member Hollingsworth made a motion to appoint Zac Wood to the City of Cullman Parks and Recreation Board replacing Mayor Woody Jacobs. Council Member Page seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council President Gudger asked for a motion to adjourn. Council Member Cook made a motion to adjourn. Council Member Hollingsworth seconded the motion, and the meeting was adjourned at 7:37 p.m. by a voice vote. Ayes: All. Nays: None.