

CULLMAN CITY COUNCIL MEETING ON DECEMBER 12TH, 2016 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Pro Tem Jenny Folsom called the Cullman City Council Meeting to order at 7:00 o'clock p.m. on Monday, December 12th, 2016. Police Chief Kenny Culpepper presented the invocation.

A roll call by Mr. Wesley Moore reflected the following: Present - Mayor Woody Jacobs, Council Member Andy Page, Council Member Clint Hollingsworth, and Council President Pro Tem Jenny Folsom. Absent: Council Member Johnny Cook and Council President Garlan Gudger. Also present were City Attorney Roy Williams and City Clerk Wesley Moore.

Council President Pro Tem Folsom asked the Council to consider the minutes from November 28th, 2016 and November 30th, 2016. Council Member Page 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: Absent. Council President Gudger: Absent. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye. Council Member Page made a motion to approve the minutes from November 28th, 2016 and November 30th, 2016 as written. Council Member Hollingsworth 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: Absent. Council President Gudger: Absent. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA

Council Member Hollingsworth made a motion to add #6 under Roman Numeral X which is Resolution No. 2017-30 to enter into a contract with Bradley Arant for legal services related to a special retail project. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

REPORTS OF STANDING COMMITTEES

1. Public Safety Committee - Chairman Andy Page presented Cullman High School Band with the following resolution:

RESOLUTION

WHEREAS, the 2016-17 Cullman High School Band, led by Director Christopher J. Smith and Assistant Director Doug Teuscher, recently performed in the Magnificent Mile Festival Lights Parade in Chicago, Illinois, before over a million spectators along the parade route and millions more on television and the Internet; and,

WHEREAS, the 2016-17 CHS Band has had a remarkable season so far, receiving all superior ratings in all categories and receiving several "Best in Class" awards at marching contests throughout the fall; and,

WHEREAS, the CHS Band has a long tradition of exceptional performance, as evidenced by the 2015-16 marching band representing our state in the "America's" Parade on Veterans Day in New York City and the 2015-16 symphonic band receiving overall superior ratings at the Alabama Bandmasters Association Music Performance Assessment (State Contest) for the 23rd consecutive year; and,

WHEREAS, such outstanding accomplishments are the direct result of excellent direction, the dedication, talent, and teamwork of ALL band members (who are too numerous to list here), and the leadership of CHS Band President Myles McLeroy, Vice-President Wes Ellard, and Drum Major Jackson Shaw.

NOW, THEREFORE, BE IT RESOLVED, on the 12th day of December, 2016, that the Mayor and City Council of Cullman, Alabama, on behalf of our citizens, do hereby extend to the 2016-17 Cullman High School Band this expression of pride in their outstanding accomplishments.

BE IT FURTHER RESOLVED that a framed copy of this resolution shall be presented to the 2016-17 Cullman High School Band with our congratulations and sincere appreciation for the wonderful way in which they continue to represent our city, county, and state.

ADOPTED BY THE CITY COUNCIL this the 12th day of December, 2016.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 12th day of December, 2016.

/s/ Woody Jacobs - Mayor

2. Public Works Committee - Chairman Johnny Cook - No report.
3. Utilities Committee - Chairman Garlan Gudger - No report.
4. Tourism Committee - Chairman Clint Hollingsworth - No report.
5. General Government Committee - Chairwoman Jenny Folsom - No report.

REPORT FROM THE MAYOR

Mayor Woody Jacobs updated the City Council on the directional boring by the Parking Deck and has notified the local businesses in that area as well.

COMMENTS FROM ANYONE NOT ON THE AGENDA - None.

PUBLIC HEARINGS - None.

PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS & COMMUNICATIONS

Council Member Page made a motion to approve the request from Water Superintendent Chris Freeman to purchase from two existing city bids two work trucks from Mitch Smith Chevrolet, Inc. in the budgeted amount not to exceed \$77,443. Council Member Hollingsworth seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Hollingsworth made a motion to approve the request from Sanitation Superintendent Larry Jones to purchase from an existing city bid one work truck from Mitch Smith Chevrolet, Inc. in the budgeted amount not to exceed \$40,000. Council Member Page seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Page made a motion to approve the request from Street Superintendent Scott Talley to purchase from two existing bids two work trucks from Mitch Smith Chevrolet, Inc. in the budgeted amount not to exceed \$77,443. Council Member Hollingsworth seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Hollingsworth made a motion to approve the request from Garage Superintendent Mason Kugler to purchase from NJPA bid list a computerized alignment system from Mohawk Lifts, Inc. in the budgeted amount not to exceed \$27,411. Council Member Page seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Page made a motion to approve the request from Garage Superintendent Mason Kugler to purchase a JPRO Professional Diagnostics Tool Box from Stewarts Auto Parts in the budgeted amount not to exceed \$5,000. Council Member Hollingsworth seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Hollingsworth made a motion to approve the request from Court Clerk Dana Phillips and Maintenance Supervisor Mark Watson to approve the lowest quote from Walker Brothers, LTD for a construction project in the Court Office in the budgeted amount not to exceed \$35,145. Council Member Page seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Page made a motion to approve the request from Joey Pannell of Catfish-N-Que located at 1610 Main Avenue SW for a restaurant alcohol license which received a favorable recommendation from the City of Cullman Alcohol Review Committee. Council Member Hollingsworth seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Hollingsworth made a motion to approve the request from Street Superintendent Scott Talley to lease two backhoe loaders from Thompson Tractor Company, Inc. in the budgeted annual amount not to exceed \$33,458. Council Member Page seconded the motion to approve the request and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Hollingsworth made a motion to approve the request from Water Superintendent Chris Freeman to purchase from an existing city bid one work truck from Eckenrod Ford in the budgeted amount not to exceed \$39,690. Council Member Page 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 Page made a motion to adopt the following resolution:

**RESOLUTION NO. 2017 – 26
TO AWARD THE BID FOR THE TERTIARY FILTER INSTALLATION
FOR THE WASTEWATER TREATMENT PLANT**

WHEREAS, bids were opened on December 1st, 2016 at 2:00 p.m. for the tertiary filter installation for the Wastewater Treatment Plant,

WHEREAS, the following bids were opened:

Apel Machine & Supply, Inc.	Hanceville, AL	No Bid
Baird Contracting Company, Inc.	Birmingham, AL	\$ 2,514,500
B.H. Craig Construction, Inc.	Florence, AL	\$ 2,494,500
Cleary Construction, Inc.	Tombkinsville, KY	No Bid

Haren Construction, Inc.	Etowah, TN	\$ 2,815,000
J & P Construction Company, Inc.	Tuscaloosa, AL	\$ 2,495,000
Mark Johnson Construction, LLC	Tuscaloosa, AL	\$ 2,515,500
PF Moon & Company, Inc.	West Point, GA	\$ 2,796,500
Schmidt Environmental Construction, Inc.	Hanceville, AL	\$ 2,770,400

WHEREAS, the recommendation from CDG Engineers & Associates is to award the bid for the tertiary filter installation for the Wastewater Treatment Plant to B.H. Craig Construction, Inc., the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for the tertiary filter installation for the Wastewater Treatment Plant is hereby awarded to B.H. Craig Construction, Inc., the lowest responsible bidder, in the budgeted amount of \$2,494,500.

ADOPTED BY THE CITY COUNCIL this the 12th day of December, 2016.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 12th day of December, 2016.

/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 Hollingsworth made a motion to adopt the following resolution:

RESOLUTION NO. 2017 – 27

TO AWARD THE BID FOR THE SANITARY SEWER AND REGIONAL LIFT STATION IMPROVEMENTS FOR THE WASTEWATER TREATMENT PLANT

WHEREAS, bids were opened on December 1, 2016 at 2:00 p.m. for the sanitary sewer and regional lift station improvements for the Wastewater Treatment Plant,

WHEREAS, the following bids were opened:

Apel Machine & Supply, Inc.	Hanceville, AL	\$ 897,410
Baird Contracting Company, Inc.	Birmingham, AL	No Bid
B.H. Craig Construction, Inc.	Florence, AL	No Bid
Cleary Construction, Inc.	Tompkinsville, KY	No Bid
Haren Construction, Inc.	Etowah, TN	\$ 1,487,000
Mark Johnson Construction, LLC	Tuscaloosa, AL	No Bid
Jordan Excavating, Inc.	Birmingham, AL	\$ 1,645,375
PF Moon & Company, Inc.	West Point, GA	No Bid
Schmidt Environmental Construction, Inc.	Hanceville, AL	No Bid
Southern Civil Contracting, Inc.	Tuscaloosa, AL	No Bid

WHEREAS, the recommendation from CDG Engineers & Associates is to award the bid for the sanitary sewer and regional lift station improvements for the Wastewater Treatment Plant to Apel Machine & Supply, Inc., the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for the sanitary sewer and regional lift station improvements for the Wastewater Treatment Plant is hereby awarded to Apel Machine & Supply, Inc., the lowest responsible bidder, in the budgeted amount of \$897,410.

ADOPTED BY THE CITY COUNCIL this the 12th day of December, 2016.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 12th day of December, 2016.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NO. 2017 – 28
TO AWARD THE BID FOR ONE OR MORE 4-WHEEL DRIVE CREW TRUCKS

WHEREAS, bids were opened on December 6, 2016 at 2:00 p.m. for one or more 4-wheel drive crew trucks,

WHEREAS, the following bids were opened:

Bill Smith Buck GMC, Inc.	Cullman, AL	No Bid
Cullman Chrysler Dodge Jeep, Inc.	Cullman, AL	No Bid
Eckenrod Ford Lincoln of Cullman, Inc.	Cullman, AL	\$ 39,690
Mitch Smith Chevrolet, Inc.	Cullman, AL	No Bid

WHEREAS, the recommendation from Water & Sewer Superintendent Chris Freeman is to award the bid for one or more 4-wheel drive crew trucks to Eckenrod Ford Lincoln of Cullman, Inc., the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for one or more 4-wheel drive crew trucks is hereby awarded to Eckenrod Ford Lincoln of Cullman, Inc., the lowest responsible bidder, in the budgeted amount of \$39,690 per truck.

ADOPTED BY THE CITY COUNCIL this the 12th day of December, 2016.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 12th day of December, 2016.

/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 Hollingsworth made a motion to adopt the following resolution:

RESOLUTION NO. 2017 – 29
TO AWARD THE BID FOR ONE OR MORE 2017 BACKHOE LOADERS

WHEREAS, bids were opened on November 10, 2016 at 2:00 p.m. for the three year lease of one or more 2017 Backhoe Loaders,

WHEREAS, the following bids were opened:

		<u>Annual Amount</u>
AK Equipment Rentals and Sales, Inc.	Cullman, AL	No Bid
Cowin Equipment Company, Inc.	Madison, AL	\$ 23,484.96
Heavy Machine & Tractor Company, Inc.	Albertville, AL	\$ 42,900.00
JCB of Alabama, Inc.	Leeds, AL	No Bid
Thompson Tractor Company, Inc.	Birmingham, AL	\$ 16,728.96
Warrior Tractor & Equipment Company, Inc.	Pelham, AL	No Bid

WHEREAS, the recommendation from Street Superintendent Scott Talley is to award the bid for the three year lease of one or more 2017 Backhoe Loaders to Thompson Tractor Company, Inc., the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for the three year lease of one or more 2017 Backhoe Loaders is hereby awarded to Thompson Tractor Company, Inc., the lowest responsible bidder, in the budgeted annual amount of \$16,728.96 per loader.

ADOPTED BY THE CITY COUNCIL this the 12th day of December, 2016.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 12th day of December, 2016.

/s/ Woody Jacobs - Mayor

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

Council President Pro Tem Folsom asked for the City Council and Mayor to consider Board Appointments: Council Member Page reported to the Mayor and Council that Rick Parker declined his appointment to the Zoning Board of Adjustments and Appeals due to existing business conflicts.

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

RESOLUTION NO. 2017 – 30
TO ENTER INTO CONTRACT WITH BRADLEY ARANT BOULT CUMMINGS LLP

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into contract with Bradley Arant Boult Cummings, LLP for legal services related to a retail development project;

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 Bradley Arant Boult Cummings, LLP for legal services related to a retail development project.

ADOPTED BY THE CITY COUNCIL this the 12th day of December, 2016.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 12th day of December, 2016.

/s/ Woody Jacobs - Mayor

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

Council President Pro Tem Folsom asked for a motion to adjourn. Council Member Page made a motion to adjourn. Council Member Hollingsworth seconded the motion, and the meeting was adjourned at 7:18 p.m. by a voice vote. Ayes: All. Nays: None.