

## CULLMAN CITY COUNCIL MEETING ON AUGUST 14<sup>th</sup>, 2017 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, August 14<sup>th</sup>, 2017. Police Chief Kenny Culpepper presented the invocation.

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

Council President Pro Tem Jenny Folsom asked the Council to consider the minutes from July 31<sup>st</sup>, 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: Absent. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye. Council Member Cook made a motion to approve the minutes from July 31<sup>st</sup>, 2017 as written. Council Member Page seconded the motion to approve the minutes, and the motion was approved by a roll call vote. Mr. Wesley Moore polled the Council Members: Council Member Page: Aye. Council Member Cook: Aye. Council President Gudger: Absent. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye.

### ADDITIONS/DELETIONS TO AGENDA

Council Member Cook made a motion to add Resolution No. 2017-96 to amend the position control detail. Council Member Page seconded the motion to add Resolution No. 2017-96, and the motion was approved by a voice vote. Ayes: All. Nays: None.

### REPORTS OF STANDING COMMITTEES

1. Public Safety Committee - Chairman Andy Page - No report.
2. Utilities Committee - Chairman Garlan Gudger - No report.
3. Public Works Committee - Chairman Johnny Cook - No report.
4. Tourism Committee - Chairman Clint Hollingsworth asked CCPR Director Nathan Anderson to report on parks and recreation. CCPR Director Nathan Anderson stated the following: the Cullman City Parks and Recreation Dive Team won the State Championship; the Archery Tournament was the largest so far; Celebrate Cullman continues to grow; and the repairs to Heritage Park from Rock the South are on schedule and will be completed by the September 1<sup>st</sup> deadline.
5. General Government Committee - Chairwoman Jenny Folsom gave the 3<sup>rd</sup> Quarter Financial Report which stated general fund revenues were up 2.7% due to a sales tax increase of 5.6%, general fund expenses were up 5.2% due to capital outlay, and the 4<sup>th</sup> lowest unemployment rate in the State of Alabama at 4.3%.

**REPORT FROM THE MAYOR** - No report.

**COMMENTS FROM ANYONE NOT ON THE AGENDA** - None.

**PUBLIC HEARINGS** - None.

**PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS & COMMUNICATIONS** - None.

### RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Council President Pro Tem Jenny Folsom held the first reading of Ordinance No. 2017-23. Council Member Cook made a motion to suspend the rules to consider Ordinance No. 2017-23. 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: Absent. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye. Council Member Cook made a motion to adopt the following ordinance:

#### **ORDINANCE NO. 2017 – 23**

#### **TO ANNEX CERTAIN PROPERTY INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA**

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

SECTION 1. The City Council of the City of Cullman finds that the **Raul and Kimberly Organista** has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, which property is owned by the petitioner, be annexed into the City of Cullman:

**PPIN:** 043674

**PARCEL:** 17-01-12-0-001-099.000

**DESCRIPTION:** Commence at the Southeast corner of the NE ¼ of the SW ¼ Section 12, Township 10 South, Range 3 West; thence South 89 degrees 37 minutes West a distance of 506.1 feet; thence North 01 degrees 27 minutes West a distance of 268 feet South 89 degrees 16 minutes West a distance of 80.0 feet; thence North 10 degrees 39 minutes West a distance of 184.0 feet to the Southeast corner of Lee Property

and the true point of beginning; thence North 80 degrees 48 minutes West a distance of 205.9 feet to the east right of way of a public road; thence South 00 degrees 26 minutes East along said right of way a distance of 71.71 feet to the North right of way of a public road; thence along North right of way by the following bearing and distances: South 73 degrees 19 minutes 15 seconds East 121.7 feet; thence South 81 degrees 23 minutes 17 seconds East 84.35 feet on the West right of way of a public road; thence North 01 degrees 51 minutes East along West right of way 86.35 feet to the true point of beginning: Said land lying and being in the NE ¼ of the SW ¼ Section 12, Township 10 South, Range 3 West, Cullman County, Alabama.

Source of title: Deed Book 618 Page 234.

**ADDRESS: 94 COUNTY ROAD 701, CULLMAN, ALABAMA 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. The City of Cullman cannot at this time provide adequate fire protection due to limited road access and/or water supply. This property shall continue to be served by its current primary fire responders and/or utility providers. The City of Cullman will be a secondary responder and utility provider.

SECTION 5. 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 6. That this ordinance shall take effect upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 14<sup>th</sup> day of August, 2017.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 14<sup>th</sup> day of August, 2017.

/s/ Woody Jacobs - Mayor

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

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

**RESOLUTION NO. 2017 – 91**

**TO AWARD BID R-01786 FOR A MILLING MACHINE**

WHEREAS, bids were opened on August 8<sup>th</sup>, 2017 at 2:00 p.m. for a Milling Machine,

WHEREAS, the following bids were opened:

Road-tec, Inc.	Chattanooga, Tennessee	No Bid
Bobcat of Huntsville, Inc.	Huntsville, Alabama	No Bid
<b>Robert Ingram (sole proprietor)</b>	<b>Alexander City, Alabama</b>	<b>\$ 49,995.00</b>
Tractor & Equipment Company, Inc.	Decatur, Alabama	No Bid
Warrior Tractor & Equipment Company, Inc.	Athens, Alabama	No Bid

WHEREAS, the recommendation from Street Superintendent Scott Talley is to award the bid for a Milling Machine to Robert Ingram (sole proprietor), the lowest responsible bidder, in the amount of \$49,995.00;

BE IT RESOLVED by the Cullman City Council that the bid for a Milling Machine be awarded to Robert Ingram (sole proprietor), the lowest responsible bidder, in the amount of \$49,995.00.

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 2017.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 2017.

/s/ Woody Jacobs - Mayor

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

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

**RESOLUTION NO. 2017 – 92**

**TO AWARD BID R-01787 FOR A SWEEPER BROOM**

WHEREAS, bids were opened on August 8<sup>th</sup>, 2017 at 2:00 p.m. for a Sweeper Broom,

WHEREAS, the following bids were opened:

<b>Bobcat of Huntsville, Inc.</b>	<b>Huntsville, Alabama</b>	<b>\$ 3,646.60</b>
Cowin Equipment Company, Inc.	Madison, Alabama	\$ 5,582.00
JCB of Alabama, Inc.	Leeds, Alabama	No Bid
Robert Ingram (sole proprietor)	Alexander City, Alabama	\$ 4,995.00
Tractor & Equipment Company, Inc.	Decatur, Alabama	No Bid

WHEREAS, the recommendation from Street Superintendent Scott Talley is to award the bid for a Sweeper Broom to Bobcat of Huntsville, Inc., the lowest responsible bidder, in the amount of \$3,646.60;

BE IT RESOLVED by the Cullman City Council that the bid for a Sweeper Broom be awarded to Bobcat of Huntsville, Inc., the lowest responsible bidder, in the amount of \$3,646.60.

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 2017.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 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 – 93**

**TO AWARD BID R-01788 FOR PIPE FUSING EQUIPMENT**

WHEREAS, bids were opened on August 10<sup>th</sup>, 2017 at 2:00 p.m. for Pipe Fusing Equipment,

WHEREAS, the following bids were opened:

<b>Consolidated Pipe &amp; Supply, Inc.</b>	<b>Decatur, Alabama</b>	<b>\$ 63,554.81</b>
Ferguson Water Works, Inc.	Pelham, Alabama	\$ 69,110.33
Southern Pipe & Supply, Inc.	Birmingham, Alabama	No Bid
Vellano Brothers, Inc.	Lincoln, Alabama	No Bid

WHEREAS, the recommendation from Water Superintendent Chris Freeman is to award the bid for Pipe Fusing Equipment to Consolidated Pipe & Supply, Inc., the lowest responsible bidder, in the amount of \$63,554.81;

BE IT RESOLVED by the Cullman City Council that the bid for Pipe Fusing Equipment be awarded to Consolidated Pipe & Supply, Inc., the lowest responsible bidder, in the amount of \$63,554.81.

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 2017.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 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 - 94**

Be it resolved that the City of Cullman, through its governing authority, elects to come under the provisions of Section 2 of Act 367 of the Regular Session of the 2017 Legislature. The City of Cullman agrees to provide all funds necessary to the Employees' Retirement System to cover the cost of the one-time lump sum payment as provided for by this Act for those eligible retirees and beneficiaries of deceased retirees of City of Cullman with the aforementioned lump sum payment being paid in October 2017.

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 2017.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 2017.

/s/ Woody Jacobs - Mayor

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

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

**RESOLUTION NO. 2017 – 95**

**TO ENTER INTO CONTRACT WITH KATHY JOHNSON**

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into a contract with Kathy Johnson, an independent consultant, for professional services related to the Gigabit City Project;

NOW THEREFORE BE IT RESOLVED by the Cullman City Council in the State of Alabama that the Mayor is hereby authorized to enter into a contract with Kathy Johnson, an independent consultant, for professional services related to the Gigabit City Project under the terms approved by the Mayor.

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 2017.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 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 Pro Tem Jenny Folsom asked for the City Council and Mayor to consider Board Appointments: None.

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

**RESOLUTION NO. 2017 – 96**

**TO AMEND THE CITY OF CULLMAN POSITION CONTROL DETAIL**

BE IT RESOLVED by the City Council of the City of Cullman in the State of Alabama that the position control detail incorporated into the Fiscal Year 2016-17 City Budget is hereby amended as reflected in the attached position control detail document.

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 2017.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

ADOPTED BY THE CITY COUNCIL, this the 14<sup>th</sup> day of August, 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 Pro Tem Jenny 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 7:19 p.m. by a voice vote. Ayes: All. Nays: None.