

CULLMAN CITY COUNCIL MEETING ON JANUARY 22nd, 2018 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Garlan Gudger called the Cullman City Council Meeting to order at 7:01 o'clock p.m. on Monday, January 22nd, 2018. 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, 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 9th, 2018. Council Member Cook made a motion to suspend the rules to consider the minutes. Council Member Folsom 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 9th, 2018 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: Aye. Council President Pro-Tem Folsom: Aye. Council Member Hollingsworth: Aye.

ADDITIONS/DELETIONS TO AGENDA

Council Member Folsom made a motion to add #4 under Roman Numeral X which is Resolution No. 2018-24 to authorize the City Attorney to request an Attorney's General Opinion regarding gasoline taxes. 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 accommodations to Police Office Zac Latham, Dispatcher Sheena Sartin, Police Officer Joey Duncan, and Police Sergeant Adam Clark.
2. Utilities Committee - Chairman Garlan Gudger - No report.
3. Public Works Committee - Chairman Johnny Cook thanked Chief Culpepper for running a warming center in Vinemont.
4. Tourism Committee - Chairman Clint Hollingsworth - No report.
5. General Government Committee - Chairwoman Jenny Folsom have the 1st Quarter Fiscal Year 2017-18 Financial Report which highlighted a total revenue increase of 7% due to sales tax and the 2nd lowest unemployment rate in Alabama of 2.8%.

REPORT FROM THE MAYOR

Mayor Woody Jacobs thanked all the city employees for an excellent job clearing the roads of ice and snow after the winter storm.

COMMENTS FROM ANYONE NOT ON THE AGENDA - None.

PUBLIC HEARINGS - None.

PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS & COMMUNICATIONS

Council Member Folsom made a motion to approve the request from Garage Superintendent Mason Kugler to purchase an air compressor from Northern Tool Company, Inc. in the budgeted amount not to exceed \$2,799. 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 Cook made a motion to approve the request from Street Superintendent Scott Talley to purchase a truck mount sprayer for de-icer from Dultmeier Sales, Inc. in the budgeted amount not to exceed \$14,100. 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 adopt the following resolution:

RESOLUTION NO. 2018 - 22

TO AMEND THE TAX ABATEMENT FOR ROYAL TECHNOLOGIES CORPORATION

This Amended Resolution is made this 22nd day of January, 2018 to replace the amendment that was made 17th day of September, 2015 to replace the existing resolution passed on the 23rd day of September, 2013 by the City of Cullman, Alabama, to grant a tax abatement for Royal Technologies Corporation. This resolution is amended to show that Royal Technologies Corporation has changed their capital investment figure to \$4,121,462.

WHEREAS, the Company has announced plans for a major addition to their existing facility, located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., Code of Alabama 1975) (the Act), the Company has requested from the Granting Authority an Abatement of: all state and local non-educational ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or all mortgage and recording taxes; and

WHEREAS, the Company has requested that the abatement of state and local non-educational ad valorem taxes (if applicable) be extended for a period of 10 years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed application (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve capital investment of \$4,121,462.; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform or observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of: all state and local non-educational ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or all mortgage and recording taxes as the same may apply to the fullest extent permitted by the Act. The period of abatement for the non-educational ad valorem taxes (if applicable) shall extend for a period of 10 years measured as provided in Section 40-9B-3(h) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

ADOPTED BY THE CITY COUNCIL this the 22nd day of January, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR, this the 22nd day of January, 2018.

/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. 2018 – 23

WHEREAS, the City of Cullman has made it known their intention to apply to the State of Alabama for Recreational Trails Program Funds to construct a Multi-Purpose Walking / Bike Trail in Cullman know as City Lake Park; and

WHEREAS, said programs are limited to funding a maximum of eighty percent (80%) of the proposed project cost which will be used for the trail.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City of Cullman will commit twenty percent (\$100,000) of the proposed project cost for the purpose of matching the Recreational Trails Fund Project, and

BE IT FURTHER RESOLVED, that in the event the grant is awarded, the City of Cullman understands that it will sign assurances complying with all applicable Federal and State laws, rules and regulations.

ADOPTED BY THE CITY COUNCIL this the 22nd day of January, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR, this the 22nd day of January, 2018.

/s/ Woody Jacobs - Mayor

Council Member Folsom 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: None.

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

RESOLUTION NO. 2018 – 24

BE IT RESOLVED, by the City Council of the City of Cullman, in the State of Alabama, that the City Attorney Roy Williams is hereby authorized to request an Attorney's General's opinion, on behalf of the City of Cullman, regarding taxing authority and related questions.

ADOPTED BY THE CITY COUNCIL this the 22nd day of January, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR, this the 22nd day of January, 2018.

/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 a motion to adjourn. Council Member Cook made a motion to adjourn. Council Member Hollingsworth seconded the motion, and the meeting was adjourned at 7:22 p.m. by a voice vote. Ayes: All. Nays: None.