

CULLMAN CITY COUNCIL MEETING ON AUGUST 13TH, 2018 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Garlan Gudger called the Cullman City Council Meeting to order at 7:04 o'clock p.m. on Monday, August 13th, 2018. Fire Chief Brian Bradberry 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 July 30th, 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 July 30th, 2018 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

Council Member Cook made a motion to Resolution No. 2018-76 to proactively fill an upcoming change in Leadership. 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 recognized two recent promotions in the Police Department: Lieutenant David Nassetta and Sergeant Cindy Rohrscheib.
2. Utilities Committee - Chairman Garlan Gudger announced that he will be resigning from the Cullman City Council as of November 5th, 2018.
3. Public Works Committee - Chairman Johnny Cook - No report.
4. Tourism Committee - Chairman Clint Hollingsworth stated that Celebrate Cullman and 2nd Friday events were huge successes this past weekend.
5. General Government Committee - Chairwoman Jenny Folsom - No. report.

REPORT FROM THE MAYOR

Mayor Woody Jacobs stated that a representative from the engineering firm, who designed Heritage Village, was reviewing the drainage problems along with the City Attorney.

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 Terry Harbin of Cullman Oktoberfest for a special event permit to hold the annual German Festival on October 3rd, 2018 through October 6th, 2018. Council Member Cook 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 Louise Cole of Cullman County Bosom Buddies Foundation, Inc. for a special event permit to hold the annual charity motorcycle ride at CRMC on September 29th, 2018. 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 – 69

TO ENTER INTO CONTRACT WITH RDS

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into one-year renewable contract with RDS for professional services related to the recovery and discovery of out-of-town delinquent business licensees under the terms approved by the City Attorney and City Clerk;

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 RDS for professional services related to the recovery and discovery of out-of-town delinquent business licensees under the terms approved by the City Attorney and City Clerk.

ADOPTED BY THE CITY COUNCIL this the 13th day of August, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 13th day of August, 2018.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NUMBER 2018 - 70

WHEREAS, the **City of Cullman** intends to apply for state and federal matching funds for an airport improvement project for the **Cullman Regional Airport** during fiscal year 2019.

THEREFORE BE IT RESOLVED, by the **City of Cullman** as follows:

1. That the **City of Cullman** is authorized to make an application for airport improvement funding assistance from the State of Alabama Department of Transportation and the Federal Aviation Administration, for the purpose of undertaking a project in fiscal year 2019 to make improvements at the **Cullman Regional Airport**.
2. That the application be submitted for and on behalf of the **City of Cullman** by its **Mayor** who is authorized by this resolution to sign the application and any related forms or documents on behalf of the **City**.
3. That the **City of Cullman** is authorized to enter into an airport improvement funding agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, and the Federal Aviation Administration, for the purpose of undertaking a project to make improvements at the **Cullman Regional Airport**, with partial funding provided by the State of Alabama and the Federal Aviation Administration.
4. That the agreement be executed in the name of the **City of Cullman** for and on behalf of the **City of Cullman** by its **Mayor**.
5. That the authority of the **City of Cullman** to enter into contracts with the State of Alabama and the Federal Aviation Administration has been reviewed by the **City's** attorney, and in his/her opinion, the **City of Cullman** is duly authorized to commit the **City of Cullman** to an agreement with the Alabama Department of Transportation and Federal Aviation Administration.

BE IT FURTHER RESOLVED, that the **City of Cullman** hereby affirms that the local matching share of funds in the amount required for this airport improvement project has been officially approved, placed into the budget of the airport and is available for expenditure upon execution of the Federal Aviation Administration's and the State of Alabama's funding agreements and the start of the project.

I, the undersigned qualified and acting as the **City Clerk**, of **City of Cullman**, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the **City of Cullman** named therein, at a regular meeting of such body held on the 13th day of August, 2018, and that such resolution is on file in the office of the **City of Cullman**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the **City of Cullman** on this 13th day of August, 2018.

/s/ Wesley M. Moore - City Clerk

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

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

RESOLUTION NO. 2018 - 71

TO ENTER INTO CONTRACT WITH AHSAA

WHEREAS, the Cullman City Council has determined that it would serve a public purpose to enter into a two-year contract with the Alabama High School Athletic Association (AHSAA) and the Cullman City Schools to collectively host the Alabama High School State Track & Field Championships commencing on May 3rd, 2019 and May 2nd, 2020;

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 AHSAA and Cullman City Schools to collectively host the Alabama High School State Track & Field Championships commencing on May 3rd, 2019 and May 2nd, 2020.

ADOPTED BY THE CITY COUNCIL this the 13th day of August, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 13th day of August, 2018.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NUMBER 2018 – 72

BE IT RESOLVED, by the City of Cullman as follows:

That the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for: **Streetscape improvements on both sides of 1st Avenue NE from Arnold Street to 2nd Street; Project # TAPAA-TA18(910); CPMS # 100068360;**

Which agreement is before this Council, and that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and the official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

ADOPTED BY THE CITY COUNCIL this the 13th day of August, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 13th day of August, 2018.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NO. 2018 – 73

WHEREAS, City of Cullman has been awarded a \$200,000.00 Appalachian Regional Commission (ARC) Project Number: AL-19167-2018 for Sewer System Improvements;

WHEREAS, the City Council of Cullman recognizes that it is in the City's best interest to accept the above referenced grant funds.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Cullman City Council authorizes Woody Jacobs, Mayor to sign the ARC project agreements, certifications, assurances, and any other necessary documents associated with implementation of this grant project.

ADOPTED BY THE CITY COUNCIL this the 13th day of August, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 13th day of August, 2018.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NO. 2018 - 74

TO AMEND POSITION CONTROL DETAIL, ADOPT NEW JOB DESCRIPTIONS, AND PROMOTIONAL PROCEDURES FOR THE CITY OF CULLMAN

BE IT RESOLVED by the City Council of the City of Cullman, in the State of Alabama, that the position control detail hereby amended and is incorporated into the Fiscal Year 2018-19 City Budget as reflected in the attached position control detail document.

BE IT FURTHER RESOLVED by the City Council of the City of Cullman, in the State of Alabama, that the new job descriptions and promotional procedures for the City of Cullman be hereby adopted.

ADOPTED BY THE CITY COUNCIL this the 13th day of August, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 13th day of August, 2018.

/s/ Woody Jacobs - Mayor

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

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

RESOLUTION NUMBER 2018 – 75

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

1. That the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for: The construction of a 1@56.66' span precast culvert bridge replacement and resurfacing on CR-1435 (Eva Road) over Bridge Creek. BIN# 003740. Length – 0.254 miles. Project# ACBR61112-ATRIP# 22-05-19.
2. That the agreement be executed in the name of the City, by its Mayor, for and on its behalf.
3. That the agreement be attested by the City Clerk and the seal of the City affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

Passed, adopted and approved by the City Council this 13th day of August, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 13th day of August, 2018.

/s/ Woody Jacobs - Mayor

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

Council President Garland Gudger held the first reading of Ordinance No. 2018-37. Council Member Folsom made a motion to suspend the rules to consider Ordinance No. 2018-37. Council Member Cook 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 Cook made a motion to adopt the following ordinance:

ORDINANCE NO. 2018 – 37

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 Joshua and Sara Brown have 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: 2307 and 24949. PARCEL: 09-05-21-0-001-129.005 and 09-05-21-0-001-129-007. ADDRESS: 191 County Road 1305. LEGAL DESCRIPTION: Lot Number 81, 82, and 83 of Aganhall Subdivision, being a subdivision in the Southwest Quarter of the Southeast Quarter of Section 21, Township 9, Range 3 West, according to the plat thereof recorded in the Office of the Judge of Probate of Cullman County, Alabama. Said Plat recorded in Map Book 6, Page 79.

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 13th day of August, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 13th day of August, 2018.

/s/ Woody Jacobs - Mayor

Council Member Hollingsworth seconded the motion, and the motion was approved by a roll call vote. Ayes: All. Nays: None. 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 President Garlan Gudger held the first reading of Ordinance No. 2018-38. Council Member Folsom made a motion to suspend the rules to consider Ordinance No. 2018-38. Council Member Hollingsworth 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 Cook made a motion to adopt the following ordinance:

ORDINANCE NO. 2018 – 38

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 Cecelia F. Brown (Cecelia Funderburke) 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: 49490. PARCEL: 09-05-21-0-001-129.004. ADDRESS: 1555 County Road 1303. LEGAL DESCRIPTION: Lot Number 71,72, 73, and 74 of Aganhall Subdivision, being a subdivision in the Southwest Quarter of the Southeast Quarter of Section 21, Township 9, Range 3 West, according to the plat thereof recorded in the Office of the Judge of Probate of Cullman County, Alabama. Said Plat recorded in Map Book 6, Page 79.

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 13th day of August, 2018.

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

ATTEST:

/s/ Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 13th day of August, 2018.

/s/ Woody Jacobs - Mayor

Council Member Hollingsworth seconded the motion, and the motion was approved by a roll call vote. Ayes: All. Nays: None. 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 President Gudger held the first reading of Ordinance No. 2018-39 to vacate and surplus easements to the Industrial Development Board of the City of Cullman. No further action was taken.

Council President Gudger held the first reading of Ordinance No. 2018-40 to rezone property owned by Rusken Packaging, Inc. located at Brantley Avenue from B-2 Business District to M-1 Manufacturing District and to set a public hearing at 7:00 p.m. on September 10th, 2018. No further action was taken.

Council President Gudger held the first reading of Ordinance No. 2018-41 to rezone property owned by Industrial Development Board located at Industrial Park V from B-2 Business District to M-1 Manufacturing District and to set a public hearing at 7:00 p.m. on September 10th, 2018. No further action was taken.

Council President Gudger held the first reading of Ordinance No. 2018-42 to rezone property owned by Industrial Development Board located at Brantley Avenue from B-2 Business District to M-1 Manufacturing District and set to a public hearing at 7:00 p.m. on September 10th, 2018. No further action was taken.

Council President Gudger asked the Mayor and City Council for Board Appointments, but there were none.

Council President Gudger announced that Council President Pro-Tem Jenny Folsom will be the new Council President and the first woman in Cullman's history ever to serve as Council President.

Council President Gudger asked for nominations to fill the vacancy, Council President Pro Tem. Council Member Page nominated Johnny Cook as Council President Pro Tem. There were no other nominations. Council President Gudger asked for a motion to appoint Johnny Cook as Council President Pro Tem. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None. Council Member Cook abstained from voting.

Council President Gudger made a recommendation of David Moss, Jr. for the City Council to consider to fill his vacancy following his resignation on November 5th, 2018.

Council President Gudger surrendered to gavel to Council President Jenny Folsom who asked for a motion to adjourn. Council Member Gudger made a motion to adjourn. Council Member Cook seconded the motion, and the meeting was adjourned at 7:35 p.m. by a voice vote. Ayes: All. Nays: None.