

## CULLMAN CITY COUNCIL MEETING ON MAY 28, 2019 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:01 o'clock p.m. on Monday, May 28, 2019. Police Chief Kenny Culpepper presented the invocation.

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

Council President Jenny Folsom asked the Council to consider the minutes from May 13, 2019. President Pro Tem Johnny Cook made a motion to suspend the rules to consider the minutes. Council Member Moss 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 President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. President Pro Tem Cook made a motion to approve the minutes from May 13, 2019 as written. Council Member Moss 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 President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

### **ADDITIONS/DELETIONS TO AGENDA**

Council President Pro Tem Johnny Cook made a motion to add Ordinance 2019-17 to Adopt Park Rules under Roman Numeral IX to Council Member Hollingsworth seconded the motion to add Ordinance 2019-17 and the motion was approved by a voice vote. Ayes: All. Nays: None.

### **REPORTS OF STANDING COMMITTEES**

1. Public Safety (Fire, Police, etc.) - Chairman Andy Page – No report.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss – No report.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook – None
4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth reported the Rock the South is this coming weekend and congratulated the CPR Cheer Teams for winning national championships and the Cullman High School Baseball team winning another state championship.
5. General Government (Finance, Economic Development, etc.) - Chairman Jenny Folsom – No Report

**REPORT FROM THE MAYOR** – None.

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

**PUBLIC HEARINGS** - None.

### **REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, AND OTHER**

Council President Pro-Tem Cook made a motion to grant special event request from Reyford Parker of Outlaw DJ Service to hold a fundraiser for a double lung transplant patient Savannah Wallace in front of WKUL K92.1 on First Avenue between 2nd and 3rd Streets on June 29th, 2019 from 4:00 p.m. until 10:00 p.m. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council President Pro-Tem Cook made a motion to grant special event request from Louise Cole of Cullman County Bosom Buddies Foundation for a charity motorcycle ride starting from CRMC on June 15th, 2019 from 7:00 a.m. to 12:00 p.m. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None

### **RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS**

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

#### **RESOLUTION NO. 2019 – 60**

#### **THE LEVY OF AD VALOREM TAXES IN THE CITY OF CULLMAN, ALABAMA**

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

Municipal ad valorem taxes for the tax year beginning October 1<sup>st</sup>, 2019 are hereby levied for the City of Cullman on all taxable property in the City of Cullman, Alabama, at the following rates for the following purposes:

1. A tax at the rate of 5 mills on all taxable property in the City of Cullman, Alabama, as assessed for state taxes, is hereby levied, pursuant to authority of Section 216 of the Constitution of Alabama to pay any general obligations incurred by the City of Cullman, Alabama.
2. A tax at the rate of 3 mills on all taxable property in the City of Cullman, Alabama, as assessed for state taxes, is hereby levied for educational purposes, pursuant to authority of Section 216 of the Constitution of Alabama and an election held in the City of Cullman as required.

3. A tax at the rate of 7½ mills on all taxable property in the City of Cullman, Alabama, as assessed for state taxes, is hereby levied for general school purposes, pursuant to authority of Section 56 of the Constitution of Alabama and an election held in the City of Cullman as required.

ADOPTED BY THE CITY COUNCIL this the 28th day of May, 2019.

/s/ Jenny Folsom – President of the City Council

ATTEST:

/s/ Wesley M. Moore – City Clerk

APPROVED BY THE MAYOR this the 28th day of May, 2019.

/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 Moss made a motion to adopt the following resolution:

**RESOLUTION NO. 2019 – 61**

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

THEREFORE, 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.

ADOPTED BY THE CITY COUNCIL this the 28th day of May, 2019.

/s/ Jenny Folsom – President of the City Council

ATTEST:

/s/ Wesley M. Moore – City Clerk

APPROVED BY THE MAYOR this the 28th day of May, 2019.

/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 Page made a motion to adopt the following resolution:

**RESOLUTION NO. 2019 – 62**

**TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH CDG**

WHEREAS, the Cullman City Council recognizes that it is in the City's best interest to enter into a professional services contract with TTL, Inc. for CEI services for the ATRIP project on Convent Road (Larkwood Bridge) in the amount not to exceed \$127,308;

BE IT RESOLVED by the Cullman City Council that Woody Jacobs is hereby authorized to enter into professional services contract with TTL, Inc. for CEI services for the ATRIP project on Convent Road (Larkwood Bridge) in the amount not to exceed \$127,308.

ADOPTED BY THE CITY COUNCIL this the 28<sup>th</sup> day of May, 2019.

/s/ Jenny Folsom – President of the City Council

ATTEST:

/s/ Wesley M. Moore – City Clerk

APPROVED BY THE MAYOR this the 28th day of May, 2019.

/s/ Woody Jacobs – Mayor

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

Council President Folsom held the first reading of Ordinance No. 2019-17 to adopt City park rules and regulations. Council Member Hollingsworth made a motion to suspend the rules to consider the ordinance. Council President Pro Tem Johnny 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 President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. Council Member Hollingsworth made a motion to adopt the following ordinance:

**ORDINANCE 2019-2017**

**TO ADOPT CITY PARK RULES AND REGULATIONS**

WHEREAS, Section 11-86-2 of the Code of Alabama, 1975 authorizes recreation boards to adopt rules and regulations covering the use of lands, buildings, equipment, and other facilities under its jurisdiction; and

WHEREAS, the Recreation Board of the City of Cullman (Cullman Parks, Recreation, & Sports Tourism) has adopted the attached rules and regulations for city parks and wishes to have these regulations to be adopted and approved by the City Council of the City of Cullman, Alabama; and

WHEREAS, the City Council of the City of Cullman, Alabama, deems it appropriate that these rules be adopted and incorporated into the Code of Cullman, Alabama.

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

Section 1: The rules and regulations for City of Cullman parks, recreation, and tourism facilities, as attached, are hereby adopted for the City of Cullman.

Section 2: The rules and regulations for City of Cullman parks, recreation, and tourism facilities shall be incorporated into the Code of Cullman, Alabama.

Section 3: This Ordinance shall become effective upon its adoption as provided by law.

ADOPTED BY THE CITY COUNCIL this the 28<sup>th</sup> day of May, 2019.

/s/ Jenny Folsom - President of the City Council

ATTEST:

/s/ Wesley Moore - City Clerk

APPROVED BY THE MAYOR this the 28<sup>th</sup> day of May, 2019.

/s/ Woody Jacobs – Mayor

#### Park Rules

- This park is a public space provided for your enjoyment and recreation. Please be courteous and respectful of others and keep the park clean.
- This park is not supervised. Play at your own risk.
- Please place all refuse in trash receptacles.
- All dogs must be leashed, and dog waste disposed of in receptacles.
- Operating hours are as posted in each park.
- For questions or concerns please call 256-734-9157.
- In case of emergency, call 911.
- Prohibited
  - Vehicles without specific authorization
  - Engaging in commercial activity
  - Using illegal drugs, alcohol or smoking
  - Dangerous instruments and fireworks
  - Littering, vandalism and defacing park property
  - Removing, destroying, or disturbing any plant material
  - Riotous, boisterous, threatening, or indecent behavior
  - Overnight camping or parking
  - Posting signs or advertising
  - Amplified sound
  - Skateboarding or rollerblading on park structures
  - Fires outside of barbecue grills
  - CPRST reserves the right to prohibit any other activity not listed above.

#### Playground Rules

- Operating hours: Sunrise to sunset
- This playground is not supervised. Play at your own risk.
- Children under the age posted need to be accompanied by an adult.
- Don't run around, push or pull others while on or near playground equipment.
- Use equipment safely and appropriately.
- Be mindful of others when getting on or off equipment.
- Wear proper clothing and tie your shoes. No drawstrings, loose hoods or oversized clothing allowed on the playground.
- Don't play on equipment that is wet, too hot or too cold.
- Be courteous and respectful of others. No pushing, shoving, teasing, or bullying.
- Be patient and wait your turn.
- For questions or concerns please call 256-734-9157.
- In case of emergency, call 911.

#### Basketball Court Rules

- Operating hours: Sunrise to sunset
- This court is not supervised. Play at your own risk.
- Children under the age posted need to be accompanied by an adult.
- Court is for basketball use only.
- Wear proper clothing and footwear.
- No pets allowed on court.
- No skateboards, roller blades, or bikes.
- No food, glass or alcoholic beverages.
- Be courteous and respectful of others.
- For questions or concerns please call 256-734-9157.
- In case of emergency, call 911.

### Pickleball Court Rules

- Operating hours: Sunrise to sunset
- This court is not supervised. Play at your own risk.
- Children under the age posted need to be accompanied by an adult.
- Court is for pickleball use only.
- Wear proper clothing and footwear.
- Play on this court shall be on a first come, first served basis.
- If others are waiting, please limit your play to 2 games.
- No pets allowed on court.
- No food, glass, or alcoholic beverages.
- No skateboards, roller blades, or bikes.
- Be courteous and respectful of others.
- For questions or concerns please call 256-734-9157.
- In case of emergency, call 911.

### Dog Park Rules

- All dogs must be accompanied by owner.
- Owners must be at least 16 years of age.
- All dogs must have valid license and vaccination tags.
- Owners must maintain appropriate control over dogs by voice, hand, or other means. Owners must also possess a physical restraint.
- Dogs under 4 months of age and female dogs in heat are prohibited.
- Owners must clean up feces and fill any holes dug by their dogs.
- Food or drink in glass containers are prohibited.
- Dogs must be removed from off-leash area at the first sign of aggression.
- Children 8 years and younger are not allowed in the off-leash area. Children 9-15 years must be accompanied by an adult.
- Dogs must be leashed when entering and exiting the off-leash area.
- This park is not supervised. Users of the facility do so at their own risk. The City of Cullman and Cullman Parks, Recreation, & Sports Tourism shall not be liable for any injury or damage caused by dogs.
- CPRST reserves the right to prohibit any other activity not listed above.

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

Council President Folsom asked for Board Appointments, but there were none.

Council President Folsom asked for a motion to adjourn. Council Member Hollingsworth made the motion to adjourn. Council President Pro Tem Cook seconded the motion and the meeting was adjourned at 7:14 p.m. by a voice vote. Ayes: All. Nays: None.