

CULLMAN CITY COUNCIL MEETING ON JUNE 24, 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, June 24, 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 June 3, 2019. President Pro Tem Johnny Cook made a motion to suspend the rules to consider the minutes. Council Member Page 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 Johnny Cook made a motion to approve the minutes from June 3, 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 – None.

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) - Chairman Andy Page, along with Police Chief Kenny Culpepper and Assistant Chief Craig Montgomery presented Officer Rodney Bannister a 15 year service pin and Officer Joey Duncan and Officer Justin Craft were promoted to sergeant.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss – No report.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook – No report.
4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth presented proclamations to Cullman Park and Rec's Gymnastics and Cheer Academy teams for their accomplishments at the national cheer competition, recognizing the Starburst and Warhead teams each receiving first place and being named national champions, and the Skittles team which placed in the top eight teams in the nation. Park and Recreation Director Nathan Anderson shared that the parks department is undergoing an onsite visit with CAPRA (Commission for Accreditation of Parks and Recreation Agencies) as the final step in determining worthiness for National Recreation and Park Association accreditation. Airport Director Ben Harrison gave an update on the Phase III reconstruction of the north taxiway, which is primarily funded by an FAA grant and the local match is shared equally between the city and county.
5. General Government (Finance, Economic Development, etc.) - Chairman Jenny Folsom – No report.

REPORT FROM THE MAYOR

Mayor Jacobs recognized the Cullman Economic Development Agency and Cullman Parks and Recreation Department for being awarded the Tom Petri Annual Achievement Award for the Duck River Reservoir Trails.

COMMENTS FROM ANYONE NOT ON THE AGENDA – None.

PUBLIC HEARINGS

Council President Folsom called the public hearing to order at 7:39 pm for Resolution 2019-59 to vacate and surplus Marline Drive SE. With no one speaking for or against, Council President Folsom closed the public hearing at 7:40 pm.

Council President Folsom called the public hearing to order at 7:40 pm for Ordinance No. 2019-21 to vacate and surplus a utility easement on Lincoln Avenue SW and 4th Street SW (Highway 278). With no one speaking for or against, Council President Folsom closed the public hearing at 7:41 pm.

Council President Folsom set a public hearing at 7:00 pm on July 22, 2019 for Ordinance 2019-21 to amend the City of Cullman Subdivision Ordinance No. 2018-34.

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

Council President Pro Tem Cook made a motion to grant special event request from Jim Cain of Diablo's Southwest Grill, pending approval from the other tenants, to hold Carnival Days on June 29th, 2019 and June 30th, 2019 from 10:30 a.m. until 8:00 p.m. in their parking lot located at 1302 Second Avenue SW. Council Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None

DRAFT

Council President Pro Tem Cook made a motion to grant special event request from Jennifer Jacobs of Grumpy's Italian Grill to hold a fundraiser to support the Park and Rec Foundation Board and those affected by multiple sclerosis on July 20th, 2019 from 4:00 p.m. until 11:00 p.m. in their parking lot located at 402 5th Street SW, as long as there are no complaints from residents. Council Page seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None

Council Member Page made a motion to grant special event request from Mike Binkley of Choice Rentals to hold a fundraiser for Curt's Closet on July 27th, 2019 from Noon until 5:00 p.m. in the South Cullman Shopping Center. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Council President Pro Tem Cook made a motion to adopt the following resolution:

RESOLUTION NO. 2019 – 59

TO VACATE AND SURPLUS A PORTION OF A PUBLIC STREET

WHEREAS, the City of Cullman, Alabama, is the owner of Marline Drive SE, which is approximately fifty feet by two hundred feet; WHEREAS, the Cullman City Council finds that this property is not needed for public or municipal purposes and has determined that it is in the interest of the public that such street or portion thereof be vacated;

BE IT RESOLVED by the Cullman City Council that Marline Drive SE, which is approximately fifty feet by two hundred feet, is hereby declared vacant.

BE IT FURTHER RESOLVED by the Cullman City Council that the Mayor is hereby authorized to surplus and sell this property for its appraised fair market value.

ADOPTED BY THE CITY COUNCIL this the 24th day of June, 2019.

/s/Jenny Folsom - President of the City Council

ATTEST:

/s/ Wesley Moore - City Clerk

APPROVED BY THE MAYOR this the 24th day of June, 2019.

/s/ Woody Jacobs – Mayor

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

Ordinance No. 2019-15 to vacate and surplus property not needed for any public or municipal purpose. Council President Pro Tem Cook made a motion to suspend the rules to consider the ordinance. Council Member Moss 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 President Pro Tem Cook made a motion to adopt the following ordinance:

ORDINANCE NO. 2019 – 15

TO VACATE AND SURPLUS PROPERTY NOT NEEDED FOR ANY PUBLIC OR MUNICIPAL PURPOSE

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

1. The City of Cullman is the owner of a parcel of property described as a utility easement on Lincoln Avenue SW and Highway 278 (4th Street SW).
2. The Cullman City Council finds and determines that this property is not needed by the City of Cullman for public or municipal purposes and hereby vacates the property and declares it surplus.
3. The City Council hereby authorizes the Mayor to sell this property for its fair market value.
4. This ordinance shall become effective upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 24th day of June, 2019.

/s/Jenny Folsom - President of the City Council

ATTEST:

/s/ Wesley Moore - City Clerk

APPROVED BY THE MAYOR this the 24th day of June, 2019.

/s/ Woody Jacobs – Mayor

DRAFT

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 President Pro Tem Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye.

Ordinance No. 2019-20 to annex certain properties into the city limits. Council Member Hollingsworth made a motion to suspend the rules to consider the ordinance. Council President Pro Tem 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 with limited city services:

ORDINANCE NO. 2019 – 20

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 Nathan Brock 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: 15673. PARCEL: 09-08-27-0-001-012.000. ADDRESS: 70 County Road 1322. LEGAL DESCRIPTION: Lot No. 3 of the Shangri-La Subdivision as shown on the recorded Plat of said subdivision in the Office of the Judge of Probate of Cullman County, Alabama. Situated, lying and being in Cullman County, State of Alabama.

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 24th day of June, 2019.

/s/Jenny Folsom - President of the City Council

ATTEST:

/s/ Wesley Moore - City Clerk

APPROVED BY THE MAYOR this the 24th day of June, 2019.

/s/ Woody Jacobs – Mayor

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

RESOLUTION NO. 2019 – 64

TO ENTER INTO AGREEMENT WITH THE STATE OF ALABAMA TO MAINTAIN THE TRAFFIC SIGNAL AT THE INTERSECTION OF US-31 AND OLIVE STREET IN THE CITY LIMITS OF CULLMAN, ALABAMA

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

1. That the City of Cullman, Alabama, enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for maintenance of a traffic signal at the intersection of US-31 and Olive Street in the city limits of Cullman. Which agreement is before the Council.
2. That the Agreement be executed in the name of the City, by its Mayor, for and on its behalf;

DRAFT

3. That the signature of the Mayor be attested by the City Clerk and that the seal of the City be affixed to the agreement.

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 record by the City Clerk.

PASSED, ADOPTED, AND APPROVED BY THE CITY COUNCIL this the 24th day of June, 2019.

ADOPTED BY THE CITY COUNCIL this the 24th day of June, 2019.

/s/Jenny Folsom - President of the City Council

ATTEST:

/s/ Wesley Moore - City Clerk

APPROVED BY THE MAYOR this the 24th day of June, 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 Pro Tem Cook made a motion to adopt the following resolution:

RESOLUTION NUMBER 2019 – 65

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

1. That the City enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for:

The construction of a 2@45' span AASHTO girder bridge replacement on Convent Road NE over Eight Mile Creek. BIN# 006659. Length -0.060 miles Project# ACBRZ61111-ATRP (013); ATRIP# 22-05-18

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 this the 24th day of June, 2019.

ATTESTED:

/s/ Wesley Moore - City Clerk

/s/ Woody Jacobs – Mayor, City of Cullman

I, the undersigned qualified and acting clerk of the City of Cullman, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution passed and adopted by the City Council if the City named therein, at a regular meeting of such Council held on this the 24th day of June, 2019, and that such resolution is on file in the City Clerk's office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this the 24th day of June, 2019.

/s/ Wesley Moore - City Clerk

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 adopt the following resolution, pending approval from the Cullman County Commission:

RESOLUTION NO. 2019 – 66

TO AWARD BID FOR NORTH TAXIWAY RECONSTRUCTION PHASE III AT THE CULLMAN REGIONAL AIRPORT

WHEREAS, bids were opened on May 21st, 2019 for the North Taxiway Reconstruction Phase III at the Cullman Regional Airport,

DRAFT

WHEREAS, the recommendation from the Project Engineer Ryan Pearce is to award the bid for the North Taxiway Reconstruction Phase III (Base and Alternate No. 1) at the Cullman Regional Airport to Carcel & G Construction, LLC, the lowest responsible bidder, in the amount of \$1,244,913.87.

BE IT RESOLVED by the Cullman City Council that the bid for the North Taxiway Reconstruction Phase III (Base and Alternate No. 1) at the Cullman Regional Airport be awarded to Carcel & G Construction, LLC, the lowest responsible bidder, in the amount of \$1,244,913.87.

ADOPTED BY THE CITY COUNCIL this the 24th day of June, 2019.

/s/Jenny Folsom - President of the City Council

ATTEST:

/s/ Wesley Moore - City Clerk

APPROVED BY THE MAYOR this the 24th day of June, 2019.

/s/ Woody Jacobs – Mayor

Council Member Moss 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 adopt the following resolution:

RESOLUTION NO. 2019 – 67
TO AWARD BID FOR VARIOUS TYPES OF CONCRETE

WHEREAS, bids were opened on June 24th, 2019 at 2:00 p.m. for various types of concrete for the City of Cullman,

WHEREAS, the following bids were opened from:

(DCA) Ready Mix USA, LLC	Cullman, AL
Kirkpatrick Concrete, Inc.	Cullman, AL

WHEREAS, the recommendation from Street Superintendent Scott Talley is to award the bid for various types of concrete to (DCA) Ready Mix USA, LLC, the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for various types of concrete is hereby awarded to (DCA) Ready Mix USA, LLC, the lowest responsible bidder.

ADOPTED BY THE CITY COUNCIL this the 24th day of June, 2019.

/s/Jenny Folsom - President of the City Council

ATTEST:

/s/ Wesley Moore - City Clerk

APPROVED BY THE MAYOR this the 24th day of June, 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 Pro Tem Cook made a motion to appoint Gaynor St. John to fill the unexpired term of Fess St. John on the Industrial Development Board. 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 reappoint Barry McGriff to the Industrial Development Board. Council President Pro Tem Cook 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 reappoint Shawn Crider to the Industrial Development Board. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Moss made a motion to reappoint Shawn Crider to the Industrial Development Board. Council Member Page seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council President Folsom asked for a motion to adjourn. Council Member Page made the motion to adjourn. Council Member Hollingsworth seconded the motion and the meeting was adjourned at 7:56 p.m. by a voice vote. Ayes: All. Nays: None.