

CULLMAN CITY COUNCIL MEETING ON AUGUST 12, 2019 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:00 o'clock p.m. on Monday, August 12, 2019. Fire Chief Brian Bradberry 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 July 22, 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 July 22, 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

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) - Chairman Andy Page – No report.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss – Wastewater treatment plant manager Jeff Adams reported the use of a new sprayer, new chemical being used and running the treatment filter differently have all contributed to a tremendous improvement to the flies. The neighbors have reported great improvement as well.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook – No report.
4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth reported August's 2nd Friday was a great event with a huge crowd and presented a Resolution of Congratulations to the Cullman Parks and Recreation Sports Tourism 11-12 year old girls softball team for winning the 2019 Alabama USSSA 12U Softball State Championship.
5. General Government (Finance, Economic Development, etc.) - Chairman Jenny Folsom – No report.

REPORT FROM THE MAYOR

Mayor Jacobs presented Cullman's local VFW Post 2214 with 50 US flags.

COMMENTS FROM ANYONE NOT ON THE AGENDA

City of Cullman retiree, Johnny Looney, asked the council to consider a retiree pay increase.

PUBLIC HEARINGS

Council President Folsom called the public hearing to order at 7:19 p.m. for Ordinance No. 2019-23 to amend Ordinance No. 2004-03 and the zoning map of the City of Cullman to rezone 213 Main Avenue NW from R-4 Residential District to CBD Central Business District. Property owner Brandy Holmes, 1166 County Road 1716, Holly Pond, spoke in favor of rezoning 213 Main Avenue NW to CBD Central Business District. With no others wishing to speak regarding the Ordinance amendment Council President Folsom closed the public hearing at 7:20 p.m.

Council President Folsom called the public hearing to order at 7:20 p.m. for Ordinance No. 2019-24 to amend Ordinance No. 2004-03 and the zoning map of the City of Cullman to rezone 1644 John H Cooper SE and vacant lot on John H Cooper SE from M-1 Manufacturing to B-2 Business District. Property owner Len Brooks, 2441 County Road 1371, Vinemont, spoke in favor of rezoning property to B-2 Business District. With others wishing to speak regarding the Ordinance amendment Council President Folsom closed the public hearing at 7:21 p.m.

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

Council President Pro Tem Cook made a motion to grant a special event request from Sarah Walker of American Heart Association to hold a fundraiser in Depot Park on November 16, 2019 from 9:00 a.m. until 11:00 a.m. 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 purchase a Grizzly OHV Smart Flow Bug Sprayer from Clarke in the budgeted amount not to exceed \$11,000. 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 President Pro Tem Cook made a motion to adopt the following resolution:

RESOLUTION NO. 2019 – 72

TO AWARD THE BID FOR FURNISHING AND LAYING OF HOT MIX

WHEREAS, bids (R-01812) were opened on July 18th, 2019 at 2:00 p.m. for the furnishing and laying of hot mix for the City of Cullman,

WHEREAS, the following bids were opened:

Good Hope Contracting, Inc.	Cullman, AL	Various Bid Items (Low Bidder)
McCartney Construction Company	Gadsden, AL	No Bid
Reed Contracting, Inc.	Huntsville, AL	No Bid
Wiregrass Construction Company, Inc.	Guntersville, AL	No Bid

WHEREAS, the recommendation from Street Superintendent Scott Talley is to award the bid to Good Hope Contracting, Inc., the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for the furnishing and laying of hot mix be awarded to Good Hope Contracting, Inc., the lowest responsible bidder.

ADOPTED BY THE CITY COUNCIL this the 12th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 12th day of August, 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 Member Page made a motion to adopt the following resolution:

RESOLUTION NO. 2019 – 73

TO AWARD THE BID FOR HOT MIX AND COLD MIX

WHEREAS, bids (R-01813) were opened on July 18th, 2019 at 2:00 p.m. for hot mix and cold mix for the City of Cullman,

WHEREAS, the following bids were opened:

Good Hope Contracting, Inc.	Cullman, AL	<u>Cold and Hot Mixes</u> Various Bid Items (Low Bidder)
McCartney Construction Company	Gadsden, AL	No Bid
Reed Contracting, Inc.	Huntsville, AL	No Bid
Wiregrass Construction Company, Inc.	Guntersville, AL	Various Bid Items

WHEREAS, the recommendation from Street Superintendent Scott Talley is to award the bid to Good Hope Contracting, Inc., the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for hot mix and cold mix be awarded to Good Hope Contracting, Inc., the lowest responsible bidder.

ADOPTED BY THE CITY COUNCIL this the 12th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 12th day of August, 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 – 74

TO AWARD THE BID FOR MILLING EXISTING PAVEMENT

WHEREAS, bids (R-01811) were opened on July 18th, 2019 at 2:00 p.m. for milling existing pavement in the City of Cullman,

WHEREAS, the following bids were opened:

Good Hope Contracting, Inc.	Cullman, AL	<u>Milling Existing Pavement</u> Various Bid Items
Kelly Construction, Inc.	Birmingham, AL	Various Bid Items (Low Bidder)
McCartney Construction Company	Gadsden, AL	No Bid
Mill It Up, Inc.	Warrior, AL	No Bid

Reed Contracting, Inc.	Huntsville, AL	No Bid
Wiregrass Construction Company, Inc.	Guntersville, AL	No Bid

WHEREAS, the recommendation from Street Superintendent Scott Talley is to award the bid to Kelly Construction, Inc., the lowest responsible bidder.

BE IT RESOLVED by the Cullman City Council that the bid for milling existing pavement be awarded to Kelly Construction, Inc., the lowest responsible bidder.

ADOPTED BY THE CITY COUNCIL this the 12th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 12th day of August, 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 Member Moss made a motion to adopt the following resolution:

RESOLUTION NUMBER 2019 – 75

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:

Grade, drain, base, and pave of an industrial access road from CR-222 to the North Alabama Fabricating Company (NAFCO) in the City of Cullman to benefit NAFCO; Project# IAR-022-000-010; CPMS Ref# 100070489.

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.

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 lawfully passed and adopted by the City named therein, at a regular meeting of such Council held on the 12th day of August, 2019, and that such resolution is on file in the City Clerk's Office.

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY:

Woody Jacobs, Mayor

12th day of August, 2019 and that such resolution is of record in the Minute Book of the City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 12th day of August, 2019.

/s/ Wesley M. Moore, City Clerk

Council President Pro Tem Cook 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 2019-23 to amend Ordinance No. 2004-23 and the zoning map of the City of Cullman, Alabama to re-zone certain parcels of property.

Council President Folsom held the first reading of Ordinance 2019-24 to amend Ordinance No. 2004-23 and the zoning map of the City of Cullman, Alabama to re-zone certain parcels of property.

Council President Folsom held the first reading of Ordinance 2019-25 to annex certain properties into the city limits of the City of Cullman, Alabama.

Council President Folsom held the first reading of Ordinance 2019-26 to annex certain properties into the city limits of the City of Cullman, Alabama. 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 – 26

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 Del Bales 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:

Parcel 1:

PPIN: 78186. PARCEL: 17-03-08-0-001-003.036. ADDRESS: Amy Lane.

LEGAL DESCRIPTION: Lot 1 of first addition to Hill-Meadows Subdivision, Plat B-289B.

Subject to the following:

1. Restrictive Covenants pertaining to Hill Meadows Subdivision as recorded in Misc. Book 56 Page 643.
2. Utility and Drainage Easement as shown on the plat of Hill Meadows Subdivision as recorded in Map Book 6, Page 151 (Slide A345).
3. Minimum building set back line as shown on the plat of Hill Meadows Subdivision as recorded in Map Book 6, Page 151 (Slide A345).

Parcel 2:

PPIN: 78187. PARCEL: 17-03-08-0-001-003.037. ADDRESS: Amy Lane.

LEGAL DESCRIPTION: 1.6 acres - Lot 2 of first addition to Hill-Meadows Subdivision, Plat B-289B.

Subject to the following:

1. Restrictive Covenants pertaining to Hill Meadows Subdivision as recorded in Misc. Book 56 Page 643.
2. Utility and Drainage Easement as shown on the plat of Hill Meadows Subdivision as recorded in Map Book 6, Page 151 (Slide A345).
3. Minimum building set back line as shown on the plat of Hill Meadows Subdivision as recorded in Map Book 6, Page 151 (Slide A345).

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 12th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 12th day of August, 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 reappoint Frances Cooper to the Margaret Jean Jones Center for the Developmentally Disabled. 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 reappoint James Chumbley to the Margaret Jean Jones Center for the Developmentally Disabled. 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 reappoint Jenny Folsom to the CATS 55 Board. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Abstained: Jenny Folsom. Ayes: All. Nays: None.

Council President Pro Tem Cook made a motion to reappoint Wesley Moore to the CATS 55 Board. 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 reappoint Hugh Harris to the CATS 55 Board. 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 – 76
AUTHORIZING THE MAYOR TO SIGN AGREEMENTS RELATED TO
THE RELOCATION OF WATER AND SEWER LINES FOR THE HIGHWAY 157 PROJECT

THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is authorized to sign all agreements related to the relocation of water and sewer lines for the Highway 157 Expansion Project.

ADOPTED BY THE CITY COUNCIL this the 12th day of August, 2019.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 12th day of August, 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 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 7:32 p.m. by a voice vote. Ayes: All. Nays: None.