

CULLMAN CITY COUNCIL MEETING ON FEBRUARY 10, 2020 IN THE LUCILLE N. GALIN AUDITORIUM

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:03 o'clock p.m. on Monday, February 10, 2020.

Police Chief Kenny Culpepper presented the invocation and led the Pledge of Allegiance.

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 January 27, 2020. Council President Pro Tem 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 Johnny Cook: Aye. Council President Folsom: Aye. Council Member David Moss: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to approve the minutes from January 27, 2020 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 President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member David 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 – No report.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook - – No report.
4. Tourism (Parks & Recreation, Airport, etc.) - Chairman Clint Hollingsworth – No report.
5. General Government (Finance, Economic Development, etc.) - Chairman Jenny Folsom -- No report.

REPORT FROM THE MAYOR

The Eva Road bridge is close to opening, but the opening date depends on cooperation from the weather to be able to install the lighting. Please be aware of the speed limit, as it will be strictly enforced.

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 approve a special event request from Melissa Aaron of East Elementary PTO for a special event permit to hold a 1-mile and 5k color runs around East Elementary on Saturday, March 14th, 2020 at 7:00 a.m. 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. 2020 – 53

TO GRANT A TAX ABATEMENT TO ROYAL TECHNOLOGIES

This Resolution is made this **10th** day of **February, 2020** (the Effective Date) by the **City of Cullman, Alabama** (the Granting Authority), to grant a tax abatement for **Royal Technologies Corporation** (the Company).

WHEREAS, the Company has announced plans for a major addition to their existing facility (the Project), 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 noneducational 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

WHEREAS, the Company has requested that the abatement of state and local noneducational 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 **\$2,000,000**; 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 noneducational ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education as the same may apply to the fullest extent permitted by the Act. The period of abatement for the noneducational 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.

I hereby certify that the foregoing was duly adopted by the **City of Cullman, Alabama** of Alabama at a meeting held on the **10th** day of **February, 2020**.

/s/ Woody Jacobs, Mayor

Attest:

/s/Wesley Moore, City Clerk

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. 2020 - 54
To Support Participation in the 2020 Census

WHEREAS, the U.S. Census Bureau is required by Article I, Section 2 of the U.S. Constitution to conduct an accurate count of the population every ten years; and

WHEREAS, receiving federal funds relies, in part, on census data and Cullman County receives federal funding to support things such as health care, education, roads, bridges, assistance programs, etc.; and

WHEREAS, census data also helps determine how many seats each state will have in the U.S. House of Representatives and is used in the redistricting of state legislatures; and

WHEREAS, the decennial census is a huge undertaking that requires cross-sector collaboration and partnership in order to achieve a complete and accurate count; and

WHEREAS, the U.S. Census Bureau is facing several challenges with the 2020 Census, which include declining response rates, technological change, and fiscal constraints, thus support from local government is critical; and

WHEREAS, the City of Cullman, in partnership with other local municipalities, the Cullman County Commission, the State of Alabama, businesses, and community organizations is committed to ensuring every resident is counted;

NOW, THEREFORE, BE IT RESOLVED, that the City of Cullman recognizes the importance of the 2020 Census and supports participation in helping to ensure a complete, fair, and accurate count.

ADOPTED BY THE CITY COUNCIL this the 10th day of February, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 10th day of February, 2020.

/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 NO. 2020 – 55

TO DECLARE CERTAIN PROPERTY SURPLUS OR NOT NEEDED BY THE CITY OF CULLMAN

WHEREAS, the Cullman City Council hereby finds and determines that the City of Cullman is owner of various capital assets and inventory that is no longer needed by the City of Cullman for public or municipal purposes and that the best interests of the City will be served by the sale or disposal of said property;

BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to designate a City employee to sell or disposal of said property that is no longer needed by the City of Cullman for public or municipal purposes for its present fair market value.

ADOPTED BY THE CITY COUNCIL this the 10th day of February, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 10th day of February, 2020.

/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 NO. 2020 – 56

TO AWARD BID FOR CONSTRUCTION OF ROAD FROM NAFCO TO CR-222

WHEREAS, bids were received on January 23rd, 2020 for the construction of a road from NAFCO to CR-222,

WHEREAS, the following bids were opened:

Carcel & G Construction, LLC	Cullman, Alabama	\$348,045.00
Manning Construction, LLC	Cullman, Alabama	\$363,329.49
Wiregrass Construction Company, Inc.	Guntersville, Alabama	\$398,983.74

BE IT RESOLVED by the Cullman City Council that the bid for the construction of a road from NAFCO to CR-222 be awarded to Carcel & G Construction, LLC, the lowest responsible bidder, in the budgeted amount of \$348,045.00.

ADOPTED BY THE CITY COUNCIL this the 10th day of February, 2020.

/s/ Jenny Folsom, City Council President

ATTEST:

/s/ Wesley M. Moore, City Clerk

APPROVED BY THE MAYOR this the 10th day of February, 2020.

/s/ Woody Jacobs, Mayor

Council President Pro Tem Cook seconded the motion and the motion was approved by a voice vote. Ayes: All. Nays: None.

BOARD APPOINTMENTS – 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 7:13 p.m.