

**CULLMAN CITY COUNCIL MEETING
MONDAY, SEPTEMBER 23, 2024 AT 7:00 P.M.
IN THE LUCILLE N. GALIN AUDITORIUM**

Council President Jenny Folsom called the Cullman City Council Meeting to order at 7:00 p.m. on Monday, September 23, 2024. Fire Chief Darren Peeples led the Pledge of Allegiance and presented the invocation.

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

Council President Jenny Folsom asked the Council to consider the minutes from September 9, 2024. Council President Pro Tem Cook made a motion to approve the minutes from September 9, 2024, as written. Council Member Smith seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

ADDITIONS/DELETIONS TO AGENDA – None.

REPORTS OF STANDING COMMITTEES

1. Public Safety (Fire, Police, etc.) - Chairman Brad Smith reviewed the new pay plan for public safety. Mr. Smith also discussed the public safety capital outlay plan for this budget including a new fire truck, four new patrol units, and a new radio system.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss mentioned that residential sewer and water rates in the city will not increase for the third straight year. Mr. Moss also reviewed the capital improvement plan for utilities including major sewer line replacement.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook stated that residential sanitation rates will not increase for the third straight year as well. Mr. Cook reviewed the street paving budget which is the largest to date.
4. Tourism (Parks, Recreation, Airport, etc.) - Chairman Clint Hollingsworth detailed the tourism, recreation, and community projects including the new Omniplex Civic Center, the new Performing Arts Theater, the design of the lazy river at Wildwater, a new splashpad and playground at Heritage Park, various improvements at the Cullman Regional Airport, and upgrades to the Cullman Museum.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom discussed a very conservative general fund budget of \$55 million (almost the same as last year) which includes a 4% raise and additional pay supplement for all full-time city employees. She also mentioned that the city will be absorbing the premium increases for employee's health, dental, life, and medical flight insurance.

REPORT FROM THE MAYOR

Mayor Woody Jacobs appreciated the City Council for their hard work over the last two months. He attributed \$25 million in grant funding to Cullman's successful partnership with our state and federal elected officials. He reviewed the Paving for Progress plan averaging over \$10 million each year for the last six years. He was excited about our upcoming community festivals, Oktoberfest and Christkindl Market.

COMMENTS FROM ANYONE NOT ON THE AGENDA – None.

PUBLIC HEARINGS

Council President Folsom set a public hearing on October 21, 2024, at 7:00 p.m. to hear, consider, and act upon all objections or protests, if any, for the removal of an unsafe structure located at 1509 Bower Drive SE, Cullman, Alabama 35055.

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

Council Member Moss made a motion to approve a special event request from Christy Brock of 1003 2nd Avenue NE for a Block Party on a portion of 10th Street NE on September 28th and 29th from 8:00 a.m. until 8:00 p.m. Council Member Hollingsworth seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, HEARINGS, APPOINTMENTS AND OTHER

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

**CITY OF CULLMAN
RESOLUTION NO. 2024 – 98**

WHEREAS, the City of Cullman wishes restructure the work cycle in accordance with the Fair Labor Standards Act (FLSA) for the City of Cullman Fire Rescue Department; and

WHEREAS, this restructuring will serve a conservative, public purpose in reducing the taxpayer burden produced by overtime worked through amending the current work cycle and adding to the executive exempt status of employees; and

WHEREAS, this policy will establish guidelines along with a competitive and comparable work schedule that will ensure the City of Cullman the strongest ability to maintain providing the needed public safety resources, recruit and efficiently train new employees to uphold high departmental standards of excellence and retain qualified employees within Cullman Fire Rescue; and

WHEREAS, employees who work 24-hour shifts within Cullman Fire Rescue will now work under a 28-day cycle with overtime accruing after 201.22 hours; and

WHEREAS, the adoption of this policy does not imply a contract for employment and does not alter At-Will Employment practices of the City of Cullman.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City Council of Cullman that the Council, hereby adopts the following attached Cullman Fire Rescue FLSA Work Cycle Policy effective October 1st, 2024.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/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 Smith made a motion to adopt the following resolution:

RESOLUTION NO. 2024 – 99

**TO ADOPT THE ANNUAL BUDGET FOR THE CITY OF CULLMAN
BEGINNING OCTOBER 1ST, 2024 AND ENDING SEPTEMBER 30TH, 2025**

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

1. That the General Fund Budget in the amount of \$55,516,735 or so much as may be necessary to defray the expenses and liabilities of the City of Cullman, is hereby appropriated for said purposes as therein specified.
2. That the budget in the amount of \$10,916,627 for the Property and Sales Tax Fund, a major fund, is hereby appropriated for the purposes as therein specified.
3. That the Miscellaneous and Special Fund Budgets in the following amounts: Rebuild Alabama Gas Tax Fund - \$350,000; Four Cent Gas Tax Fund - \$225,000; Seven Cent Gas Tax Fund - \$555,000; Lodging Tax Fund - \$4,000,000; Industrial Purpose Fund - \$130,500; Alabama Trust Fund - \$980,000; Corrections and Court Fund - \$50,000; Court Judicial Fund - \$24,000; Industrial Park Fund - \$273,500; Industrial Access Road Fund - \$5,000; Parks and Recreation Construction Fund - \$18,155,000; Transportation Enhancement - \$11,000,000; Downtown Revitalization Fund - \$1,352,261; CDBG Neighborhood Projects - \$633,083; and Debt Service Funds - \$14,566,909 or so much thereof as may be necessary to defray the expenses and liabilities of the City of Cullman, are hereby appropriated for the purposes specified therein.
4. That the budget for the Sewer Fund in the amount of \$9,900,000; the budget for the Water Fund in the amount of \$25,000,000; the budget for the Utilities Board Water Division in the amount of \$15,637,090; and for the Airport Fund in the amount of \$11,109,664 or so much thereof as may be necessary to defray expenses and liabilities, is hereby appropriated for such purposes as therein specified, together with such expenditures for principal payments and for equipment and capital improvements as authorized by the City Council.
5. That a budget for expenses for the Parks and Recreation Fund in the amount of \$7,809,542 or so much thereof as may be necessary to defray expenses and liabilities, is hereby established for such purposes, together with such expenditures for principal payments and for equipment as may be required.
6. That such amounts as are required to be transferred between funds for various purposes are hereby appropriated.
7. That adjusted classifications, changes in pay and employee benefits, and changes in the positions and structure of departments as implemented in these budgets are hereby adopted.
8. This Resolution, if approved by the City Council, shall become effective on the 1st day of October, 2024.

BE IT FURTHER RESOLVED that the Mayor, the City Treasurer, and the City Clerk are hereby authorized (1) to expend such funds as are herein allocated and as directed by the Cullman City Council and (2) to make such line item adjustments as are necessary to accurately reflect the expenditures of each department and any other changes as directed by the Cullman City Council.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/s/ Woody Jacobs, Mayor

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

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

RESOLUTION NO. 2024 – 100

**TO ADOPT THE PAY MATRIX, JOB DESCRIPTIONS, AND JOB CLASSIFICATIONS
FOR THE CITY OF CULLMAN, ALABAMA**

BE IT RESOLVED BY THE CULLMAN CITY COUNCIL that the Mayor is hereby authorized to take any and all personnel actions necessary to execute the employee pay matrixes, job descriptions, job classifications, and annual pay increases for city employees approved by the Cullman City Council in the fiscal year 2025 budget which will become effective for the pay period beginning October 1st, 2024.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/s/ Woody Jacobs, Mayor

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

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

RESOLUTION NO. 2024 – 101

TO ADOPT THE POSITION CONTROL FOR THE CITY OF CULLMAN

THEREFORE, BE IT RESOLVED by the City Council of the City of Cullman, in the State of Alabama, that the position control is hereby incorporated into the Fiscal Year 2025 City Budget.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/s/ Woody Jacobs, Mayor

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

Council Hollingsworth made a motion to adopt the following resolution:

RESOLUTION NO. 2024 – 102

TO APPOINT OFFICERS OF THE CITY OF CULLMAN

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

SECTION 1. The City Council of the City of Cullman designates the following officers to be appointed as October 1st, 2024; said officers will serve until their successors are appointed:

Joey Duncan	Chief, Police Department.
Darren Peoples	Chief, Fire Department.
Dale Greer	Director of Economic Development.
Sam Dillender	Superintendent, Sanitation Department.
Scotty Talley	Superintendent, Street Department.
Shannon (Jake) Calloway	Superintendent, Wastewater Treatment Plant.
Chris Freeman	Superintendent, Water and Sewer Department.
Joshua Brown	Superintendent, Garage Department.
Brandon Lewis	Chief Building Official.
Christopher Dotson	Director of Risk Management.
Jacob Smith	Director of Information Technology.
Rothal (Clain) Fletcher	Superintendent, ROW Maintenance Department.
Erica York	Director of Engineering.
Kyle Clark	Director (Operations) of Parks and Recreation.

Nathan Anderson
Michelle Bates
Blake Lee Cockrell
Brian Bradberry
Stentsen Ellenburg

Director (Executive) of Parks and Recreation.
Director of Human Resources.
Court Clerk.
Public Safety Director.
Fire Deputy Chief – Administration.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/s/ Woody Jacobs, Mayor

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

Mayor Woody Jacobs officiated the ceremonial swearing-in of Joey Duncan as Police Chief; office being effective on October 1, 2024.

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

RESOLUTION NO. 2024 – 103

TO ENTER INTO SERVICE CONTRACT AGREEMENTS

WHEREAS, the Cullman City Council recognizes that public services are provided to the citizens of the City of Cullman, Alabama, which improving their quality of life including but not limited to educational services, rehabilitation services, medical services, promotion of tourism and commerce, mental healthcare, and personal wellness by the following:

- a) American Legion Post No. 4 of Cullman,
- b) Child Advocacy Center of Cullman,
- c) Childhaven,
- d) Cullman 310 Authority,
- e) Cullman Agriplex,
- f) Cullman Area Mental Health (Wellstone),
- g) Cullman Caring for Kids,
- h) Cullman Area Chamber of Commerce,
- i) Cullman City Board of Education,
- j) Cullman Community Band,
- k) Cullman Community Theater,
- l) Cullman County Commission on Aging,
- m) Cullman County Emergency Management Agency,
- n) Cullman County Extension Service,
- o) Cullman County Health Department,
- p) Cullman County Public Library,
- q) Cullman Farmers Market Steering Committee,
- r) Cullman Regional Medical Center,
- s) First Source for Women of Cullman County,
- t) Garrison Gives Hope,
- u) Good Samaritan Clinic,
- v) Hope Horses,
- w) Liberty Learning,
- x) Pilot Light of Cullman County,
- y) Restoring Women Outreach,
- z) The Link of Cullman County,
- aa) United Way of Cullman County,
- bb) Veterans of Foreign Wars Post No. 2214 of Cullman,
- cc) Victim Services of Cullman,
- dd) World Changers,

BE IT RESOLVED that the Mayor is hereby authorized and directed to execute contracts with those listed above hereinafter referred to as the “Contractor”, for services as described therein, and the City Clerk is authorized to affix the City seal thereto; and

BE IT FURTHER RESOLVED that, prior to the release of any funds in connection with this contract for Fiscal Year 2025, the following documentation must be submitted annually to the City of Cullman:

- Resolution of the Board of Directors (or other governing body) authorizing the Contractor to enter into this contract;
- Copy of the current by-laws of the Contractor;
- Copy of the determination letter from the IRS or Alabama Legislative Act creating the Contractor which states their tax status;
- Copy of the Contractor's most recent audited financial statements;
- Copy of the Contractor's most recent budgeted-to-actual reports including revenues and expenditures;
- Copy of the Contractor's most recent balance sheet detailing cash, cash equivalents, certificates of deposits, investments, reserves, and other like assets;
- Copy of the Contractor's most recent budgets to actual reports (detailed by line item);
- Copy of the Contractor's most current certificate of insurance indicating General Liability and Worker's Compensation insurance.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/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 Smith made a motion to adopt the following resolution:

RESOLUTION NO. 2024 – 104

**TO CONTINUE SUPPORTING OF THE CULLMAN CITY SCHOOL BOARD
TO ASSIST IN FUNDING THEIR ONGOING CAPITAL IMPROVEMENT PLAN**

WHEREAS, the Cullman City Council has determined that continuing the support of the Cullman City School Board and their on-going capital improvement plan would service a public purpose by providing exceptional education opportunities in Cullman;

BE IT RESOLVED by the Cullman City Council that the City will hereby continue the support for the Cullman City School Board and their on-going capital improvement plan to provide exceptional education opportunities in Cullman, Alabama.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/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 Hollingsworth made a motion to adopt the following resolution:

RESOLUTION NO. 2024 – 105

WHEREAS, Chambers of Commerce strive to address the community's top challenges and greatest opportunities through bold leadership and innovative problem-solving; and

WHEREAS, chambers of commerce foster stronger, more vibrant communities by advocating for priorities to promote economic prosperity, boost quality of life and create access to meaningful employment and opportunity for all residents; and

WHEREAS, chambers of commerce are champions of communities, serving as a trusted resource for businesses, residents, and other stakeholders; and

WHEREAS, chambers of commerce create catalytic community partnerships to build resilient economies and promote community-wide prosperity; and

WHEREAS, Cullman Chamber embarks on 80 years of opening doors to opportunity and building our legacy based on the success of the businesses we serve; and

THEREFORE, BE IT RESOLVED that October 16, 2024 is Support Your Local Chamber of Commerce Day and the City Council encourages the Cullman area residents to learn more about the chamber, its impact and support of local businesses.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/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.

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

RESOLUTION NO. 2024 – 106

TO AWARD BID FOR AN ASPHALT ROAD WIDENING MACHINE

WHEREAS, bids (CB2024-12) were received on September 19, 2024, at 2:00 p.m. for an asphalt road widening machine; and

WHEREAS, the Cullman City Council has evaluated the bids received and has determined that Brown Equipment Company, LLC, is the lowest responsible bidder in the amount of \$48,900; and

BE IT RESOLVED by the Cullman City Council that the bid for an asphalt road widening machine be hereby awarded to Brown Equipment Company, LLC in the amount of \$48,900.

THAT, Woody Jacobs, Mayor, be and is hereby authorized to enter into a contract with Brown Equipment Company, LLC for an asphalt road widening machine in the budgeted amount of \$48,900.00.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/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.

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

RESOLUTION NO. 2024 – 107

TO AWARD BID FOR ELECTRICAL MATERIALS AT DEPOT PARK IMPROVEMENTS

WHEREAS, the City of Cullman has received an Appalachian Regional Commission (ARC) grant from the Alabama Department of Economic and Community Affairs to construct improvements to Depot Park; and

WHEREAS, a portion of the scope of this project is for electrical improvements within the park; and

THEREFORE, in accordance with ARC regulations the City of Cullman has solicited and received bids (CB2024-11) from contractors to provide electrical materials for the above referenced project; and

NOW, THEREFORE, be it resolved that the City of Cullman has reviewed the bids received and have determined that West Cullman Electrical Supply is the lowest responsible bidder in the amount of \$79,500; and

THAT, Woody Jacobs, Mayor, is authorized to enter a contract with West Cullman Electrical Supply in the amount of \$79,500.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/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.

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

RESOLUTION NO. 2024-108

TO AWARD BID FOR TAXIWAY PAVEMENT MAINTENANCE AT THE CULLMAN REGIONAL AIRPORT

WHEREAS, bids (PW2024-10) were opened on September 19, 2024, at 2:00 p.m. for Taxiway Pavement Maintenance at the Cullman Regional Airport; and

WHEREAS, the Cullman City Council has evaluated the bids received and has determined that Ameriseal of Ohio, Inc., is the lowest responsible bidder in the amount of \$201,394.00; and

BE IT RESOLVED by the Cullman City Council that the bid for Taxiway Pavement Maintenance at the Cullman Regional Airport be hereby awarded to Ameriseal of Ohio, Inc. in the amount of \$201,394.00.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/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. 2024 – 109

REJECTING AND APPROVING CHANGE ORDERS FOR JIM COOPER CONSTRUCTION COMPANY, INC.

WHEREAS, the Cullman City Council awarded the bid for the new Civic Center Complex recently named “OmniPlex” to Jim Cooper Construction Company, Inc. in the amount of \$19,583,687.00;

WHEREAS, the Cullman City Council has already approved Change Orders No. 1, 2, and 3 increasing the project cost by \$5,215.75 for upgrading interior doors, adding floor electrical boxes, upgrading a transformer to \$19,590,290.54; and

WHEREAS, the City of Cullman rejects Change Orders No. 4, 5, and 7 which were deemed unnecessary; and

BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to reject Change Orders No. 4, 5, and 7 which are hereby deemed unnecessary.

WHEREAS, the City of Cullman wishes to approve Change Orders No. 6, 8, 9, and 10 increasing the project cost by \$26,419.65 to upgrade door hardware, add power for shot clocks, enlarge sectional door, and add LED entry signage with circuit and steel; and

THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to execute Change Orders No. 6, 8, 9, and 10 which will increase the total cost of the contract with Jim Cooper Construction Company, Inc. to \$19,616,710.19.

ADOPTED BY THE CITY COUNCIL this the 23rd day of September, 2024.

/s/ Jenny Folsom, City Council President

ATTEST:

Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 23rd day of September, 2024.

/s/ Woody Jacobs, Mayor

Council Member Moss 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 Hollingsworth made the motion to adjourn. Council Member Smith seconded the motion, and the meeting was adjourned at 7:35 p.m. by a voice vote. Ayes: All. Nays: None.