

**CULLMAN CITY COUNCIL MEETING
FRIDAY, SEPTEMBER 30, 2022, AT NOON
IN THE LUCILLE N. GALIN AUDITORIUM**

Council President Jenny Folsom called the Cullman City Council Meeting to order at noon on Friday, September 30, 2022. Police Chief Kenny Culpepper 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 Pro Tem Johnny Cook, and Council President Jenny Folsom, Council Member David Moss, Council Member Clint Hollingsworth. Also present were Attorney Roy Williams and City Clerk Wesley Moore. Absent: Council Member Brad Smith.

Council President Jenny Folsom asked the Council to consider the minutes from September 12, 2022. 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 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 approve the minutes from September 12, 2022, as written. Council Member Hollingsworth 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 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.) – In Chairman Brad Smith's absence, Johnny Cook reported on his behalf for the upcoming 2023 fiscal year; sharing that Fire and Police departments have received a new pay scale, Police has budgeted for an additional storage shed, two new fleet vehicles, and office renovations. The Fire Department will receive new, lighter weight turnout gear, and various equipment such as a new cardiac monitor, rope rescue and lift assist equipment.
2. Utilities (Water, Sewer, etc.) - Chairman David Moss shared regarding the pay increases for the city employees, shared some of the large-scale budgeted projects such as sewer line replacements, water treatment plant improvements, and wastewater screen refurbishment at the South Pump station. Right of Way, Sewer and Water departments will receive several new vehicles and equipment.
3. Public Works (Street, Sanitation, etc.) - Chairman Johnny Cook reported on several infrastructure and streetscape grant projects included in the FY 2023; an increase in budgeted paving; vehicles and equipment in Street, Traffic and Sanitation departments.
4. Tourism (Parks & Recreation, Airport, etc.) Chairman Clint Hollingsworth encouraged everyone to come to come out and enjoy the Oktoberfest event this weekend. Approved budget highlights include improvements to the museum and display equipment; preparations for the new civic center complex and improvements to Depot Park, Heritage Park, Burrow Hamilton Farm, Wild Water, and East Side Park. Budgeted airport improvements include a new hangar, pavement rehab, updated ALP plan and a tractor for mowing.
5. General Government (Finance, Economic Development, etc.) - Chairwoman Jenny Folsom reported an increase in the general fund budget for FY2023, caused by inflation. The new budget includes funding for updated pay plans and employee pay increases, pay supplement, covered increases for employee benefits; City School fundings through the capital improvement plan, local property and sales tax, and funding the primary school access road.

REPORT FROM THE MAYOR

Mayor Jacobs gave a report to the council regarding the City's operations.

COMMENTS FROM ANYONE NOT ON THE AGENDA

Boyd Langford, 611 Denson Avenue, spoke against the 'coming out' event scheduled for October 8th at Depot Park.
Anna Bohach, 20 County Road 1451, spoke against the 'coming out' event scheduled for October 8th at Depot Park.
Ruby Hill, 437 County Road 588, Hanceville, spoke against the 'coming out' event scheduled for October 8th at Depot Park.
John Bohach, 20 County Road 1451, spoke against the 'coming out' event scheduled for October 8th at Depot Park.

PUBLIC HEARINGS - None.

REQUESTS, PETITIONS, APPLICATIONS, COMPLAINTS

Council Member Hollingsworth made a motion to approve a special event request from Emily Trahan of St. Paul's Church for a Reformation Fun Run and 5k on October 29, 2022. 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 approve special event request from Lynsey Todd of Warehouse District Merchants to close 1st Avenue NE on multiple dates in November and December for Christmas in the Warehouse District. 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 approve a special event request from Adam Clark of Cullman Police Department to hold the annual Trunk or Treat on October 26, 2022. Council President Pro Tem Cook seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

Council Member Hollingsworth made a motion to approve special event request from Karen Speegle of Seventh Street Baptist Church to hold the annual Fall Fest at the church on October 30, 2022. 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 approve a request from Puckett's located at 6076 Al Hwy 157 for restaurant retail liquor alcohol license which received a favorable recommendation from the City of Cullman Alcohol Review Committee. 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 approve a request from The Venue at Cotton Creek located at 417 3rd Ave SW for a 'Special Events more than 30 days' alcohol license which received a favorable recommendation from the City of Cullman Alcohol Review Committee. Council Member Moss seconded the motion, and the motion was approved by a voice vote. Ayes: All. Nays: None.

RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS

Council President Jenny Folsom held the first reading of Ordinance No. 2022-32 to amend Ordinance No. 2021-53 designating the officers of the City of Cullman. Council President Pro Tem Cook made a motion to suspend the rules to consider Ordinance No. 2022-32. 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 President Pro Tem Johnny Cook: Aye. Council President Folsom: Aye. Council Member Moss: Aye. Council Member Hollingsworth: Aye. Council President Pro Tem Cook made a motion to adopt Ordinance No. 2022-32.

ORDINANCE NO. 2022-32

TO AMEND ORDINANCE NO. 2021 – 53 DESIGNATING OFFICERS OF THE CITY OF CULLMAN, ALABAMA

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

1. That SECTION IV is deleted in its entirety and replaced with the following:

SECTION IV. The following officers of the City, all of which have some level of authority over employees of the City, exercise some discretionary policy making authority, or a portion of their duties is the ability to discharge some portion of the sovereign power of the City, shall be appointed by the majority of the City Council:

- A. Police Chief.
- B. Fire Chief.
- C. Director of Economic Development.
- D. Sanitation Superintendent.
- E. Street Superintendent.
- F. Wastewater Treatment Plant Superintendent.
- G. Water and Sewer Superintendent.
- H. Garage Superintendent.
- I. Chief Building Official.
- J. Director of Risk Management.
- K. Director of Information Technology.
- L. ROW Maintenance Superintendent.
- M. City Engineer.
- N. Director (Operations) of Parks and Recreation.
- O. Director (Executive) of Parks and Recreation.
- P. Director of Human Resources.
- Q. Court Clerk.

All officers set out in this Section shall serve for one year or until their successors are appointed. All officers set out in this Section shall be directed by the Mayor, and shall report to the Mayor and the designated Committee Chair to keep the Council informed of the operations of their departments. In addition to the normal duties of their respective departments, these officers shall set formal procedures for personal conduct of the employees within their departments not inconsistent with the policies set by the Council and Mayor. All officers set out in this Section are exempt employees (employees at will) and may be removed prior to their term of service without cause by the Council. The Mayor may temporarily suspend or remove any officer, superintendent, chief, or department head in this Section; the suspension or removal of any of the above officials, if sustained by a majority of the Council, shall be final. The Mayor may temporarily fill the vacancy of any office in this Section until a permanent replacement is appointed by a majority of the Council.

3. This Ordinance shall be effective following its passage, approval, and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 30th day of September, 2022.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 2022.

/s/Mayor Woody Jacobs

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

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

**RESOLUTION NO. 2022 – 112
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 Historical Society,
- q) Cullman County Public Library,
- r) Cullman County Soil & Water Conservation,
- s) Cullman Farmers Market Steering Committee,
- t) Cullman Regional Medical Center,
- u) First Source for Women of Cullman County,
- v) Good Samaritan Clinic,
- w) Hope Horses,
- x) Pilot Light of Cullman County,
- y) The Link of Cullman County,
- z) United Way of Cullman County,
- aa) Veterans of Foreign Wars Post No. 2214 of Cullman,
- bb) Victim Services of Cullman,

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 2023, 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 30th day of September, 2022.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 2022.

/s/Mayor Woody Jacobs

Council Member 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. 2022 – 113
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 2023 budget which will become effective for the pay period beginning October 1st, 2022.

ADOPTED BY THE CITY COUNCIL this the 30th day of September, 2022.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 2022.

/s/Mayor Woody Jacobs

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

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

**RESOLUTION NO. 2022 - 114
TO APPOINT OFFICERS OF THE CITY OF CULLMAN**

BE IT RESOLVED BY THE CITY OF 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; said officers will serve until their successors are appointed:

Kenny Culpepper	Chief, Police Department.
Brian Bradberry	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	Director (Executive) of Parks and Recreation.
Michelle Bates	Director of Human Resources.
Blake Lee Cockrell	Court Clerk.

ADOPTED BY THE CITY COUNCIL this the 30th day of September, 2022.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 2022.

/s/Mayor Woody Jacobs

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

At 12:37 p.m., Council Member Moss received an emergency phone call and had to leave the meeting.

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

RESOLUTION NO. 2022 - 115
TO ADOPT THE ANNUAL BUDGET FOR THE CITY OF CULLMAN
BEGINNING OCTOBER 1ST, 2022 AND ENDING SEPTEMBER 30TH, 2023

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 \$52,899,395 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 \$9,000,000 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 - \$125,000; Four Cent Gas Tax Fund - \$105,000; Seven Cent Gas Tax Fund - \$178,000; Lodging Tax Fund - \$2,400,000; Industrial Purpose Fund - \$105,500; Alabama Trust Fund - \$635,000; Corrections and Court Fund - \$90,000; Court Judicial Fund - \$47,500; Industrial Park Fund - \$1,475,000; Industrial Access Road Fund - \$5,000; Cullman Building Account - \$0; Parks and Recreation Construction Fund - \$26,163,211; Transportation Enhancement - \$24,346,075; Downtown Revitalization Fund - \$998,785; CDBG Neighborhood Projects - \$1,086,150; and Debt Service Funds - \$21,004,150 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 \$9,129,867; the budget for the Water Fund in the amount of \$22,291,050; the budget for the Utilities Board Water Division in the amount of \$13,943,573; and for the Airport Fund in the amount of \$3,676,954 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 \$6,114,170 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, 2022.

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 30th day of September, 2022.

/s/ Jenny Folsom, President of the City Council

ATTEST:

/s/ Wesley Moore, City Clerk

APPROVED BY THE MAYOR this the 30th day of September, 2022.

/s/Mayor Woody Jacobs

Council Member Hollingsworth 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 Moss seconded the motion, and the meeting was adjourned at 12:41 p.m. by a voice vote. Ayes: All. Nays: None.