

**CULLMAN CITY COUNCIL
REGULAR MEETING
July 12th, 2010**

Mayor Townson, Council President Gudger, Council Member Page, Council Member Cook, Council Member Hollingsworth and Council Member Folsom met in the Council Chamber at 6:00 p.m. to discuss the interest in the building and property of the old Fire Station #2. Mr. Culpepper owner of Culpepper Cattle Company has expressed an interest in the property and the possibility of exchanging a parcel near the railroad track for this property. The estimate for water and sewer lines to this parcel was estimated by Mr. Junior Heaton to be around \$46,000.

Mr. Drew Nelson, of Utility Engineering Company, was present to discuss the revised bid for Mid South Trenchless of Dalton, Georgia for the Austin Avenue Sewer Project. An adjustment of \$177,000 was made to the original bid price. He explained there are only two companies in the South East who do this type of work and the extensive liability of going under the old warehouse makes the prices higher. Work should begin in 6 weeks and be completed within a four month period, if the weather and no unexpected problems arise.

The Council Members discussed the finance problems of Terri Pines Country Club. It was a consensus of the Mayor and Council Members the City of Cullman could not help with this problem. The Municipal Golf Course is in need of expensive repairs at this time.

Mr. John Hunt, Park Director, came by to announce the City of Cullman Park and Recreation Staff are in the top 4 in the nation for a national award to be presented in October in Minnesota. He will show a 10 minute video at the next council meeting.

A sample ordinance updating the purchase of gold was distributed to all council members for review. The Police Department had requested review of our current ordinance.

Mr. Billy Jackson was filling in for Mr. Roy Williams as City Attorney, Wesley Moore, Accountant and Ruth Rose, City Clerk were present. Mr. Trent Moore from the Cullman Times and Mr. Delton Blaylock from the Cullman Tribune were also present for the pre-council meeting.

The Cullman City Council met in regular session on July 12th, 2010 at 7:00 o'clock p.m. in the Lucille N. Galin Auditorium. Council President Garlan Gudger called the meeting to order and Chairman James Graves of the Cullman County Commission presented the invocation.

A roll call by the City Clerk reflected the following. Present - Mayor Max A. Townson, President Garlan E. Gudger, Jr., Council Member Andy Page, Council Member Johnny Cook, Council Member Jenny Folsom and Council Member Clint Hollingsworth. Also present were Mr. Billy Jackson who was filling in for City Attorney Roy Williams and City Clerk Ruth W. Rose. Absent - None.

Council Member Cook made a motion to suspend the rules in order to consider the minutes from the meeting on June 28th, 2010. Council Member Folsom seconded the motion and motion

carried on roll call vote. Council Member Page: Aye, Council Member Cook: Aye. Council President Gudger: Aye. Council Member Folsom: Aye. Council Member Hollingsworth: Aye. Nays: None.

Council Member Cook then moved to approve the minutes as written for the meeting on June 28th, 2010 and Council Member Page seconded the motion. Motion was approved by a voice vote. Ayes: All Nays: None.

ADDITIONS/DELETIONS TO AGENDA

None

REPORTS OF STANDING COMMITTEES

Council Member Andy Page - Police Committee - No Report.

Council President Garlan Gudger - Fire Committee - No Report.

Council Member Johnny Cook - Sanitation Committee - No Report.

Council Member Clint Hollingsworth - Street Committee - No Report.

Council Member Jenny Folsom - Finance Committee - No Report.

SPECIAL COMMITTEE REPORTS

None

REPORTS OF OFFICERS

Mayor Max A. Townson - He asked Chairman Graves to join him at the podium. Mr. Roy Drinkard was asked to come forward to accept a special recognition. Mayor Townson said today is Mr. Drinkard's Birthday. Mr. Drinkard was born on July 12, 1920 and he was the first Industrial Development Chairman. He was involved in the special flying force in the 50's recruiting new businesses and industries for the City of Cullman. Mr. Kirk Mancer, Director, of the Cullman Area Chamber of Commerce joined them at the podium. Mayor Townson read the following special recognition of being Honorary Colonel of Cullman:

Mr. Drinkard thanked his Family and office staff for being present tonight to join in his celebration. The Council Members joined the group for a picture.

COMMENTS FROM ANYONE NOT ON THE AGENDA

None

PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS & COMMUNICATIONS

President Gudger read a written request from Mr. Chris Bartlett of the Simcoe Worship Center to march down highway 31 on July 31, 2010 from 11:00 am until 1:00 pm. Mr. Justin Lynch was present to answer questions regarding this march. President Gudger explained this is a state highway. Chief Culpepper stated the time frame should not be 2 hours. Fire Chief Reinhardt said he could have some paramedics on standby due to the heat. Mayor Townson asked if they would consider starting the march at the Cullman County Courthouse. Mr. Lynch said this could be arranged. Chairman Graves gave permission to park at the Courthouse and begin the march there. Mr. Lynch explained he was the Youth Outreach Director and would be happy to perform community services such as pickling up litter or washing cars. The Mayor and Council thanked him for the offer. Council Member Folsom made a motion to approve the request with the revision of the starting place being the courthouse and ending at Sportman's Lake Road. Council Member Hollingsworth seconded the motion and the request was approved by a voice vote. Ayes: All. Nays: None.

Mr. John Hunt, Park and Recreation Director, was present to request the Field of Miracles Drive be closed on Friday, July 16th and Saturday, July 17th for the Alabama District Swim Meet. This event will have an estimated 4,000 people attending. Chief Culpepper and Chief Reinhardt requested emergency vehicles have access to this area. Council Member Cook made a motion to approve the request and Council Member Folsom seconded the motion. The request was approved by a voice vote. Ayes: All. Nays: None.

A request to renew an advertising contract for billboards with Quality Outdoor Advertising, LLC was made by the Cullman County Museum and Feshall Market. The total charge for this annual service is \$12,600. Council Member Cook made a motion to approve this request and Council Member Folsom seconded the motion. This request was approved by a voice vote. Ayes: All. Nays: None.

The Sanitation Department made a request for a 250 gallon portable water storage tank and pump for an estimated cost of \$545.00. The Street Department have been loaning one for watering of the flowers and trees. President Gudger stated this is a budgeted item. Council Member Folsom made a motion to approve this request and Council Member Cook seconded the motion. The request was approved by a voice vote. Ayes: All. Nays: None.

Fire Chief Reinhardt made a request to transfer a line item budgeted for physicals to uniforms (\$500) and uniform badges (\$3,697). Council Member Cook made a motion to approve this transfer and Council Member Hollingsworth seconded the motion. The request was approved by a voice vote. Ayes: All. Nays: None.

A written request was read from Wade and June Bentley of 1532 Cumberland Ridge Road NW in the Cumberland Ridge Subdivision to be annexed into the City of Cullman. This request was referred to the Planning Commission for review.

RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

Council Member Folsom made a motion to award a bid for tree services. The following resolution was read:

RESOLUTION 2010-86

Tree Services on 1649 Bolte Road

WHEREAS, bids were opened on July 8th, 2010 at 2:00 pm for Tree Services located on 1649 Bolte Road for the City of Cullman Arborist Department, and

WHEREAS, the following bids were opened from 4 vendors:

Clemmon's Tree Service	Cullman	\$1,799.00
Discount Tree Service	Crane Hill	1,000.00
Keller's Tree Service	Cullman	2,200.00
Reeves and Son, LLC	Vinemont	1,125.00

WHEREAS, the recommendation from Darrell Johns, Arborist for the City of Cullman is to award the bid to Discount Tree Service of Crane Hill, AL the lowest bidder.

BE IT RESOLVED by the City Council of the City of Cullman, Alabama that the bid for the tree service be awarded to Discount Tree Service of Crane Hill, AL at this time.

ADOPTED this the 12th day of July, 2010.

/s/ Garlan E. Gudger, Jr.
President of the City Council

ATTEST:

/s/ Ruth W. Rose
City Clerk

Transmitted to the Mayor this the 12TH day of July, 2010.

/s/ Ruth W. Rose
City Clerk

APPROVED by the Mayor this the 12TH day of July, 2010.

/s/ Max A. Townson
Mayor

Council Member Cook seconded the motion and the Resolution was passed by a voice vote.
Ayes: All. Nays: None.

President Gudger stated the next resolution is for authorization for the Mayor to sign an engineering agreement with St. John and Associates for the Eva Road Bridge Project. This project will be funded in the next fiscal year and this service will have the plans ready for a speedy repair in the Summer months of 2011. Council Member Page made a motion to approve the following Resolution:

RESOLUTION NO. 2010-87

**RESOLUTION AUTHORIZING ST. JOHN & ASSOCIATES
TO PROVIDE ENGINEERING SERVICES
FOR EVA ROAD BRIDGE PROJECT**

WHEREAS, St. John and Associates have presented a proposal to provide engineering services for the Eva Road Bridge Project, and

WHEREAS, the City has considered the scope of work included in the proposal and
WHEREAS, the City Council finds that it is in the best interest of the City to proceed with the work set out in the proposal, and

THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to execute an agreement with St. John and Associates for and on behalf of the City of Cullman for an estimated cost of \$40,000 plus 6% of construction cost.

ADOPTED this the 12th day of July, 2010.

/s/ Garlan E. Gudger, Jr.
President of the City Council

ATTEST:

/s/ Ruth W. Rose
City Clerk

Transmitted to the Mayor this the 12th day of July, 2010.

/s/ Ruth W. Rose
City Clerk

APPROVED by the Mayor this the 12th day of July, 2010.

/s/ Max A. Townson
Mayor

Council Member Folsom seconded the motion. Mayor Townson explained the work would begin in January 2011 and hopefully completed before school starts back in the Fall. This is a very dangerous bridge and needs attention due to the traffic flow on this road. The Resolution was approved by a voice vote. Ayes: All. Nays: None.

The bid for Austin Avenue Sewer repairs was negotiated with MidSouth Trenchless, Inc of Dalton , GA. The original bid was reduced by approximately \$177,000. President Gudger explained 11 sets of plans were picked up but only one bid was submitted. This is very extensive work with a high liability for the contractor. There are only 2 qualified contractors in the whole SouthEast. Mr. Drew Nelson, of Utility Engineering Consultants, LLC explained the negotiated contract and the areas of other possible savings for this job. He made a recommendation to accept this bid and begin work as soon as possible. Council Member Folsom made a motion to adopt the following Resolution:

RESOLUTION NO. 2010-88

RESOLUTION AWARDING CONTRACT FOR SEWER LINES AT AUSTIN AVENUE WITH MID SOUTH TRENCHLESS OF DALTON, GEORGIA

WHEREAS, Utility Engineering Consultants, LLC prepared bid specifications for Austin Avenue Gravity Sewer Repairs hereafter referred to as the "Project"

WHEREAS, the City opened bids on Friday, June 4th, 2010 at 2:00 PM and only had one vendor responded with a bid. Mid South Trenchless made a bid of \$1,180,530.00 which was more than budgeted for the said project, and

WHEREAS, the City Council finds that it is in the best interest of the City to authorize the Mayor to negotiate the price and try to proceed with the work set out in the proposal with a price more in line with the budgeted revenues.

WHEREAS, the bid proposal was reduced in three areas with a total savings to the City of Cullman of an estimated \$177,000, and

THEREFORE, BE IT RESOLVED by the Cullman City Council that the bid be awarded to **Mid South Trenchless** for and on behalf of the City of Cullman to perform the services related to the Project as set out in the bid specifications for services at a price of \$1,116,000 or less.

ADOPTED this the 12th day of July, 2010.

/s/ Garlan E. Gudger, Jr.
President of the City Council

ATTEST:

/s/ Ruth W. Rose
City Clerk

APPROVED by the Mayor this the 12th day of July, 2010.

/s/ Max A. Townson
Mayor

Council Member Cook seconded the motion and the resolution was adopted by a voice vote. Ayes: All. Nays: None.

President Gudger reminded everyone to get out and vote tomorrow for the run-offs from the primary election. Being no further business to come before the Mayor and Council a motion to adjourn was made by Council Member Cook. Council Member Hollingsworth seconded the motion and the meeting was adjourned at 7:25 pm by a voice vote. Ayes: All. Nays: None.