

**CULLMAN CITY COUNCIL  
REGULAR MEETING  
March 22<sup>nd</sup>, 2010**

Mayor Townson, Council President Gudger, Council Member Page, Council Member Cook, Council Member Hollingsworth and Council Member Folsom met with the Economic Development Board at 6:00 p.m.

The Mayor and Council returned to the council chamber at 6:30 p.m. and discussed the problem of the leaking roof at the Robert McGukin Civic Center. Mr. Frank Fagg, Architect for F & O Architects, prepared an agreement for the project. Mr. Roy Williams, City Attorney, needs to clarify and research a few items in the agreement.

Chief Culpepper discussed the need of a new vehicle for Captain Lou Bradford. The vehicle was not budgeted for this fiscal year. Council Member Folsom asked Chief Culpepper to check the surplus vehicles that ADECA have for sale at the Eva location.

Chief Culpepper explained the need for the City of Cullman's adoption of the 5 year update plan for EMA's Multi-Hazard Mitigation Plan. This provides for federal funding when a disaster occurs in Cullman County.

Trent Moore from the Cullman Times and Mr. Delton Blalock from the Cullman Tribune were present for the pre-council meeting.

The Cullman City Council met in regular session on March 22<sup>nd</sup>, 2009 at 7:00 o'clock p.m. in the Lucille N. Galin Auditorium. Council President Garlan Gudger called the meeting to order and Former Fire Chief Mike Hackney 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 and Council Member Jenny Folsom and Council Member Clint Hollingsworth. Also present were 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 March 8<sup>th</sup>, 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 March 8<sup>th</sup>, 2010 and Council Member Page seconded the motion. Motion was approved by a voice vote. Ayes: All Nays: None.

### **ADDITIONS/DELETIONS TO AGENDA**

Council Member Cook made a motion to add item #4 under Roman Numeral X to consider an agreement from Mr. Frank Fagg. Architect for F&O Architects, LLC to examine the leaking roof at the Robert E. McGukin Civic Center. Council Member Folsom seconded the motion and motion carried on a voice vote. Ayes: All. Nays: None.

### **REPORTS OF STANDING COMMITTEES**

Council Member Andy Page - Police Committee - He attended the open house for the new police department building located at 601 2<sup>nd</sup> Avenue NE yesterday on Sunday, March 21<sup>st</sup>, 2010.

Chief Culpepper thanked everyone for braving the bad weather to come out and support the open house. Council Member Folsom stated she was very impressed with the history and memorabilia displayed throughout the department. Thanks to everyone for the very successful event.

Council President Garlan Gudger - Fire Committee - No Report.

Council Member Johnny Cook - Sanitation Committee - No Report.

Council Member Clint Hollingsworth - Street Committee - The last phase of the decorative traffic light's four corners is being completed. Mr. Rick Henry, Superintendent, reported on the safety for residents and drivers by using the sloping feature around the new light. Mr. Henry wanted to thank his employees for working long hard hours during inclement weather conditions to accomplish this project. President Gudger stated more grant funds will soon become available for Phase II and Phase III of the Streetscape Project.

Council Member Jenny Folsom - Finance Committee - The second quarter for the fiscal year will end this month and a financial report will be made in April.

## **REPORTS OF OFFICERS**

Mayor Max A. Townson - Mayor Townson asked Mr. Mike Hackney, Former Fire Chief, who is retiring April 1, 2010, to come forward to accept a certificate of recognition. Mayor Townson read the following certificate:

Certificate of Appreciation  
Presented to  
**MIKE HACKNEY**

Whereas, you have been a conscientious and trustworthy employee and your dedicated devotion to duty have had a positive effect on the efficiency and morale of those who have worked with you; and,

Whereas, you have faithfully and honorably served the City of Cullman Fire Department for over thirty-two years, ending on April 1, 2010; and,

Whereas, we wish to extend our sincere appreciation for your outstanding performance of duty during your years of service to the City of Cullman.

Therefore, by the virtue vested in me as Mayor, and on behalf of the City Council and the citizens of the City of Cullman, we hereby present this Certificate of Appreciation to you in appreciation of your loyal and dedicated service and we wish for continued success and happiness in the future.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Cullman to be affixed on this, the 22<sup>nd</sup> day of March, 2010.

/s/ Max A. Townson, Mayor  
City of Cullman, Alabama

Mr. Hackney thanked everyone for their support and expressed appreciation to the City of Cullman for the many years of friendship and support.

Mr. Jerry Freeman, Assistant to the Mayor, came to explain the importance of completing the 2010 Census Form. In the 2000 census approximately 70% of Cullman County residents responded. Every person who is not counted will cost the county \$13,155.00 in tax revenue during the ten year cycle. In December 2010 the district lines will be addressed by the Congress. It is so important to counted and to be fairly represented.

### **COMMENTS FROM ANYONE NOT ON THE AGENDA**

Mr. Junior Heaton, Water and Sewer Superintendent, came to the podium to present the Mayor and Council with tee shirts supporting the 2010 Water Festival which will be held Friday, March 26<sup>th</sup>, 2010 at Wallace State College. In 1997 ADEM gave funds to start this event showing the importance of conserving and using wise management of our water resources. A contest of the 1100 fourth grade students is held to select the picture used on the tee shirts with a \$100.00 savings bond going to the winner. The event has local support and funds are donated to provide the children the learning experience this field trip provides. The Cattleman's Association is providing lunch for everyone and Premier Bank provided the savings bonds for the winners.

Council Member Folsom has supported this event over the years at Wallace State College and is very proud to be a sponsor of this special event.

President Gudger wanted to express personal gratitude to Former Fire Chief Mike Hackney for his dedicated years of service and for the sacrifices made by him and his family to the City of Cullman Fire Department.

### **PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS & COMMUNICATIONS**

A request from the Police Department for a new 2010 police car was tabled by a motion made by Council Member Folsom. Council Member Folsom said since this was not a budgeted item she needed more time to consider the request. Council Member Cook seconded the motion and the request was tabled by a

voice vote. Ayes: All. Nays: None.

## **RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS**

President Gudger asked Mr. Roy Williams, City Attorney, to explain the request from Cullman County EMA Office to adopt the following resolution. Mr. Williams said the Multi-Hazard Mitigation Resolution adoption would allow the Cullman County EMA Office to continue and assist with Federal Disaster Funds when a natural disaster occurs in Cullman and Cullman County.

Council Member Folsom made a motion to approve the following resolution which adopts an updated five year plan for the Cullman County EMA Multi-Hazard Mitigation Plan. The following resolution was read:

### **RESOLUTION 2010-51**

#### **2010 CULLMAN COUNTY MULTI-HAZAARD MITIGATION PLAN**

**WHEREAS**, the Cullman County Multi-Hazard Mitigation Plan has been prepared in accordance with FEMA requirements at 44 C.F.R. 201.6; and

**WHEREAS**, the City of Cullman participated in the preparation of a multi-jurisdictional plan, Cullman County Multi-Hazard Mitigation Plan; and

**WHEREAS**, the City of Cullman is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the plan and the actions in the plan; and

**WHEREAS**, the City of Cullman has reviewed the plan and affirms that the plan will be updated no less than every five years.

**NOW THEREFORE, BE IT RESOLVED** by the City Council that the City of Cullman adopts the Cullman County Multi-Hazard Mitigation Plan, and resolves to execute the actions in the plan.

**ADOPTED**, this 22<sup>nd</sup> day of March, 2010 at the meeting of the Cullman City Council.

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

ATTEST:

/s/ Ruth W. Rose  
City Clerk

**APPROVED** by the Mayor this 22<sup>nd</sup> day of March, 2010.

/s/ Max A. Townson  
Mayor, City of Cullman

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

Council Member Cook made a motion to award a bid in the following resolution for a First Defender being purchased by a grant with a 5% match:

**RESOLUTION 2010-52**  
**RESOLUTION AWARDED BID FOR**  
**FIRST DEFENDER HANDHELD RAMAN**  
**FOR UNKNOWN CHEMICAL IDENTIFICATION**

**WHEREAS**, bids were opened on March 18<sup>th</sup>, 2010 at 2:00 p.m., for a First Defender Handheld Raman For Unknown Chemical Identification, and

**WHEREAS**, the following 4 bid request were mailed to vendors:

Ahura Scientific Inc	Wilmington, MA	\$33,229.22
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Sunbelt Fire	Fairhope, AL	No Bid
NAFECO	Decatur, AL	No Bid
Custom Fire	Cullman, AL	No Response

**WHEREAS**, the recommendation from Fire Chief Reinhardt is to accept the bid from Ahura Scientific, Inc. which meets all specifications and is in compliance with the bid requirements.

**BE IT RESOLVED** by the City Council of the City of Cullman, Alabama that the contract be awarded to Ahura Scientific, Inc. of Wilmington, MA.

**ADOPTED** this the 22<sup>nd</sup> day of March, 2010.

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

ATTEST:

/s/ Ruth W. Rose  
City Clerk

**APPROVED** by the Mayor this the 22<sup>nd</sup> day of March, 2010.

/s/ Max A. Townson  
Mayor

Council Member Page seconded the motion and motion was approved by a voice vote. Ayes: All. Nays: None.

Mr. Robert Burns, Manager of the Cullman Regional Airport, requested the approval to proceed with a grant to build a new hanger that would require the City of Cullman to pay approximately \$80,559 of the total bid amount of \$322,237.88. Council Member Folsom made a motion to adopt the following resolution for the airport:

**RESOLUTION NO. 2010-53**  
**RESOLUTION AUTHORIZING MAYOR TO SIGN A CONTRACT FOR**  
**SERVICES WITH JERRY TIDWELL CONSTRUCTION, INC.**  
**Hangar construction at Cullman Regional Airport**

WHEREAS, Jerry Tidwell Construction, Inc. has presented the attached proposal to provide professional services related to building a hangar at the Cullman Regional Airport hereafter referred to as the "Project"; and

WHEREAS, the City has considered the scope of work included in the proposal for a bid price of \$322,237.88; 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 to join with the Cullman County Commission in building this hangar for the Cullman Regional Airport.

THEREFORE, BE IT RESOLVED by the Cullman City Council that the Mayor is hereby authorized to execute an agreement with Jerry Tidwell Construction, Inc. for and on behalf of the City of Cullman to perform the services related to the Project as set out in the proposed agreement for services.

ADOPTED this the 22<sup>nd</sup> day of March, 2010.

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

ATTEST:

/s/ Ruth W. Rose  
City Clerk

APPROVED by the Mayor this the 22<sup>nd</sup> day of March, 2010.

/s/ Max A. Townson  
Mayor

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

Council Member Folsom made a motion table the request from Mr. Frank Fagg, F&O Architect, LLC to authorize the Mayor to sign an agreement for services to examine the roof at the Robert E. McGukin Civic Center. Mr. Roy Williams, City Attorney, needs to clarify some line items in the agreement. Mr. Williams will have the information needed by 12:00 noon on Thursday, March 25<sup>th</sup>, 2010. Council Member Cook seconded the motion and item was tabled.

Council Member Cook requested to suspend the rules to add another item to the agenda. The bids for the Royal Technology Service Road will be opened on Wednesday, March 24<sup>th</sup>, 2010 at 10:00 a.m. need to be reviewed on Thursday, March 25<sup>th</sup>, 2010 when the council meeting reconvenes. Council Member Folsom seconded the motion and the Clerk polled the Council Members. Council Member Page: Aye. Council Member Cook: Aye. Council President Gudger: Aye. Council Member Folsom: Aye. Council Member Hollingsworth: Aye. Nays: None. This item will be added to the agenda.

Council Member Cook made a motion to adjourn at 7:45 p.m. until Thursday, March 25<sup>th</sup>, 2010 at 12:00 Noon to continue the adjourned meeting. Council Member Hollingsworth seconded the motion. The meeting was adjourned until Thursday, March 25<sup>th</sup>, 2010 at 12:00 Noon in the Lucille N. Galin Auditorium by a voice vote. Ayes: All. Nays: None.

President Gudger called the meeting to order at 12:00 Noon on Thursday, March 25<sup>th</sup>, 2010 in the Lucille N. Galin Auditorium. The Mayor and all Council Members were present. They are Council Members Page, Cook, Gudger, Folsom and Hollingsworth. Mr. Roy Williams, City Attorney and Ruth Rose, City Clerk were also present.

President Gudger read a revised request from Chief Culpepper for a police vehicle. The item tabled was for a 2010 new 4 door sedan. Chief Culpepper changed the

request to purchase a 2005 Ford F250 truck from DARE Special Police Funds. The truck was located in Eva at the Governmental Surplus owned by ADECA for a cost of \$13,500.00. Council Member Cook made a motion to approve the purchase of the truck. Council Member Page seconded the motion and Council Member Folsom thanked the Chief for using the DARE Special funds to purchase the truck. The motion was approved by a voice vote. Ayes: All. Nays: None.

Mr. Roy Williams, City Attorney, explained the agreement with F&O Architects, LLC had been revised to reflect a standard agreement and defined the scope of work. The work period of 4 months was added to the agreement. Council Member Folsom made a motion to adopt the following resolution:

**RESOLUTION NO. 2010-54**  
**RESOLUTION AUTHORIZING CONTRACT FOR PROFESSIONAL**  
**SERVICES FOR ROBERT E. MCGUKIN CIVIC CENTER ROOF**  
**WITH F & O ARCHITECTS, LLC.**

**WHEREAS**, F&O Architects, LLC has presented the attached proposal to provide professional services related to Emergency Roof Replacement for the Robert E. McGukin Civic Center “Project”; and

**WHEREAS**, the City has considered the scope of work included in the proposal prepared by Mr. Frank Fagg; 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 as soon as possible.

**THEREFORE, BE IT RESOLVED** by the Cullman City Council that the Mayor is hereby authorized to execute an agreement with F & O Architects, LLC for and on behalf of the City of Cullman to perform the services related to the Project as set out in the proposed agreement for services.

**ADOPTED** this the 25<sup>th</sup> day of March, 2010.

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

ATTEST:

/s/ Ruth W. Rose  
City Clerk

Transmitted to the Mayor this the 25<sup>th</sup> day of March, 2010.

/s/ Ruth W. Rose  
City Clerk

**APPROVED** by the Mayor this the 25<sup>th</sup> day of March, 2010.

/s/ Max A. Townson  
Mayor

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

Mr. Dale Bright, Project Manager for St. John and Associates, explained the bids were opened yesterday and nine vendors responded. The price quotes were better than expected. Council Member Cook made a motion to adopt the following resolution:

**RESOLUTION NO. 2010-55**

**AWARDING OF BID FOR ACCESS ROAD FROM ALABAMA  
HIGHWAY 157 TO CULLMAN INDUSTRIAL PARK V  
TO BENEFIT ROYAL TECHNOLOGIES**

**WHEREAS**, bids were opened on Wednesday , March 24<sup>th</sup> , 2010 at 10:00 a.m. for construction of an access road from Alabama Highway 157 to Cullman's Industrial Park V to benefit Royal Technologies; and

**WHEREAS**, the following 9 vendors submitted bids for the specified work:

Carcel & G Construction LLC	\$375,676.99
Waters Brothers Contractors, Inc.	378,595.03
Manning Construction, LLC	385,595.01
Angelo Iafrate Construction Company	425,000.00
Wiregrass Construction Company, Inc.	434,747.00
Veterans Landscaping Company, Inc.	439,638.21
Good Hope Contracting	489,352.49
Richard and Sons	499,995.20
Baird Construction Company, Inc.	517,766.74
Blakeney Company, LLC	No Response

**WHEREAS**, the recommendation from the Project Manager Dale Bright is to award the bid to Carcel & G Construction, LLC. the lowest bidder.

**BE IT RESOLVED** by the City Council of the City of Cullman, Alabama that the contract be awarded to Carcel & G Construction, LLC. at this time.

**ADOPTED** this the 25<sup>th</sup> day of March, 2010.

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

ATTEST:

/s/ Ruth W. Rose  
City Clerk

**Transmitted to the Mayor** this the 25<sup>th</sup> day of March , 2010.

/s/ Ruth W. Rose  
City Clerk

**APPROVED** by the Mayor this the 25<sup>th</sup> day of March, 2010.

/s/ Max A. Townson  
Mayor

Council Member Hollingsworth seconded the motion and motion was approved by a voice vote. Ayes: All. Nays: None.

President Gudger asked for any further discussions and there was no response.

Council Member Cook made a motion to adjourn and Council Member Hollingsworth seconded the motion and by a voice vote meeting was adjourned at 12:12 p.m.