

CULLMAN CITY COUNCIL
SPECIAL MEETING
October 14th , 2009

The Cullman City Council met in Special session on October 14th , 2009 at 4:00 o'clock p.m. in the Cullman City Hall Auditorium. Council President Garlan Gudger called the meeting to order, and Mayor Max A. Townson 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 Jenny Folsom and Council Member Clint Hollingsworth. Also present were City Attorney Roy Williams and City Clerk Ruth W. Rose . Council Member Johnny Cook was absent.

The minutes will be held until the regular city council meeting on October 26th , 2009.

Council President Gudger stated first item on the agenda was Resolution 2010-07. Council Member Folsom made a motion to approve this resolution which approves the budget. The Resolution was read as follows:

RESOLUTION 2010-07

A RESOLUTION MAKING APPROPRIATIONS FOR THE
FISCAL YEAR BEGINNING OCTOBER 1, 2009
AND ENDING SEPTEMBER 30, 2010

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 \$22,400,509, 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 \$5,092,000 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: Four Cent Gas Tax Fund - \$688,000; Seven Cent Gas Tax Fund - \$750,000; Lodging Tax Fund - \$239,224; Industrial Purpose Fund - \$12,600; Corrections and Court Fund - \$35,000; Alabama Trust Fund - \$280,000; Industrial Park Fund - \$600,100; Industrial Access Road Fund - \$500,000; Cullman Building Account - \$730,000; Parks and Recreation Construction Fund - \$750,000; Transportation Enhancement Fund - \$1,200,000; Downtown Revitalization Fund - \$270,000; and Debt Service Funds - \$2,153,169, 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 a budget for expenses for the Sewer Fund in the amount of \$5,001,270; for the Water Fund in the amount of \$7,799,585; for the Utilities Board Water Division in the amount of

\$3,998,779; and for the Airport Fund in the amount of \$1,065,325, 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 \$2,500,624, 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 (estimated at \$7,417,428) as are required to be transferred between funds for various purposes are hereby appropriated.

7. That adjusted classifications, changes in pay and employee benefits as implemented in these budgets are hereby adopted.

BE IT FURTHER RESOLVED that the Mayor and the Treasurer are authorized to expend such funds as are herein allocated and as may be directed by the City Council from time to time.

BE IT FURTHER RESOLVED that the Mayor and Treasurer are hereby authorized to make such line item adjustments as may be deemed necessary to accurately reflect the expenditures of each department, and as may be directed by the City Council from time to time.

ADOPTED this the 14th day of October, 2009.

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

Attest:

/s/ Ruth W. Rose
City Clerk

APPROVED this the 14th day of October, 2009.

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

Council Member Page seconded the motion. President Gudger asked if there was any discussion. Council Member Folsom stated "this budget was worked on and reviewed several hours during the past two months". She also said "it is one of the leanest budgets adopted to prepare for the economic challenges ahead of the City of Cullman". The City's largest source of revenue is sales tax which accounted for approximately 46 percent of the total general fund revenues for 2009. The current sales tax revenues are down around 10 percent. The 2009-2010 General Fund Budget is approximately 25 percent lower than last year. The Mayor has worked

with the Council to reduce expenses by reducing overtime, eliminating some departments through consolidation, eliminating jobs through attrition, giving no pay increases to employees (We're sorry to say), addressing capital outlay on an "as needed basis", reducing travel and training, reducing appropriations and reducing each department's operating budget. The City of Cullman budgeted for the worst case scenario but hoping this will improve. The employees will provide the most efficient and effective service to the citizens of Cullman under the leadership of the department heads who do an excellent job. The Mayor and Council are trying to be responsible with the tax payers' money. Mayor Townson also commented on the capital projects currently being done such as West Main and Streetscape being funded by grants and restricted funds. These gasoline tax funds are earmarked for road work and can not be co-mingled with general funds. Mayor Townson wanted to clarify this for the employees and citizens of Cullman. The resolution was adopted on a voice vote. Ayes: All. Nays: None.

Ordinance No. 2010-01 was the next item on the agenda which amended Section III of Ordinance 2009-1A. Council Member Folsom made a motion to suspend the rules to consider this Ordinance. Council Member Hollingsworth seconded the motion and President Gudger asked for a roll call. Council Member Page: Aye. Council President Gudger: Aye. Council Member Folsom: Aye. Council Member Hollingsworth: Aye. Nays: None.

Council Member Page made a motion to adopt this ordinance. Ordinance No. 2010-01 was read as follows:

ORDINANCE NO. 2010-01

AN ORDINANCE AMENDING SECTION III OF ORDINANCE 2009-1A KNOWN AS AN ORDINANCE ESTABLISHING PROCEDURE FOR THE APPOINTING DEPARTMENT HEADS, SUPERINTENDENTS, BOARD MEMBERS OR OTHER OFFICERS OF THE CITY OF CULLMAN

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

SECTION 1.

Section III of Ordinance 2009-1A is hereby deleted in its entirety.

The City Council of the City of Cullman, Alabama hereby adopts the following paragraphs to replace Section III of Ordinance No. 2009-1A:

SECTION III. The following chiefs, department heads, superintendents and officers of the City shall be appointed by the majority of the City Council to a term coextensive with that of each budget year:

- A. Chief, Police Department;
- B. Chief, Fire Department;
- C. Director of Public Works;
- D. Director of Community Development;

- E. Superintendent, Sanitation Department;
- F. Superintendent, Street Department;
- G. Superintendent, Wastewater Treatment Plant;
- H. Superintendent, Water and Sewer Departments;
- I. Superintendent, Garage Department;
- J. Building Official;
- K. Health and Risk Management Officer;
- L. City Planner.

All officials set out in this Section III shall serve thru October 1st of each year or until their successors are appointed.

The Mayor may temporarily remove any officer, superintendent, chief, or department head in this Section III. The removal of any of the above officials, if sustained by a majority of the Council, shall be permanent.

The Mayor may temporarily fill the vacancy of any office in Section III until permanent replacement is appointed by the majority of the Council.

SECTION 2:

Severability: Each and every provision of this Ordinance is hereby declared to be an independent provision and that holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof and it is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provision which might have been held valid.

SECTION 3:

This Ordinance shall be published once a week for two consecutive weeks up on its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said Ordinance being verbatim and the second publication either verbatim or a synopsis with the last publication being at least fifteen days prior to the Ordinance taking effect.

SECTION 4:

This Ordinance shall take effect October 1, 2009, after its passage and publication.

All other sections of said Ordinance shall remain in full force and effect.

ADOPTED this the 14th day of October, 2009.

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

ATTEST:

/s/ Ruth W. Rose
City Clerk

Transmitted to the Mayor this the 14th day of October, 2009.

/s/ Ruth W. Rose
City Clerk

APPROVED by the Mayor this the 14th day of October, 2009.

/s/ Max A. Townson
Mayor

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

ADDITIONS/DELETIONS TO AGENDA

Council Member Folsom asked to add item number 1 under Roman Numeral IV to the agenda.
This item Resolution 2010-08 which concerns Department Head appointments by the Council.
Council Member Hollingsworth seconded the motion and motion carried on a voice vote. Ayes:
All. Nays: None.

President Gudger asked for a motion to adopt this resolution and Council Member Folsom made
a motion to adopt the following resolution:

**RESOLUTION 2010-08
RESOLUTION OF THE CULLMAN CITY COUNCIL
CONCERNING CERTAIN APPOINTEES OF THE CITY**

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

SECTION 1. The following chiefs, department heads, superintendents, or other officers
of the City of Cullman shall continue to serve in their present capacities for the coming budget
year or until such time as the City Council might consider these appointments further:

Kenny Culpepper	Chief, Police Department
Junior Reinhardt	Chief, Fire Department
Peggy S. Smith	Director, Community Development
Delwin Kilgo	Superintendent, Sanitation Department
Rick Henry	Superintendent, Street Department

Jerry Paul	Superintendent, Wastewater Treatment Plant
Johnny J. Heaton	Superintendent, Water and Sewer Departments
Kenneth M. Kugler, Jr.	Superintendent, Garage Department
Rick Fulmer	Building Official
E. Thomas Charney	Health and Risk Management Officer

SECTION 2. This Resolution shall be effective immediately upon its passage and approval.

ADOPTED this the 14TH day of October, 2009.

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

ATTEST:

/s/ Ruth W. Rose
City Clerk

Transmitted to the Mayor this the 14th day of October, 2009.

/s/ Ruth W. Rose
City Clerk

APPROVED by the Mayor this the 14th day of October, 2009.

/s/ Max A. Townson
Mayor

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

Being no further business to come before the Mayor and Council, a motion to adjourn was made by Council Member Hollingsworth. Council Member Folsom seconded the motion and motion was approved. The meeting was adjourned at 4:20 pm.