

STATE OF ALABAMA  
COUNTY OF COVINGTON

ANDALUSIA, ALABAMA  
FEBRUARY 1, 2005

REGULAR COUNCIL MEETING

The City Council of the City of Andalusia, Alabama, convened in a Regular Meeting on February 1, 2005, at 6:00 P.M., in the auditorium in City Hall at 505 East Three Notch Street. The roll was checked by City Clerk Pam Steele and those present and those absent were as follows:

PRESENT:

Jerry B. Andrews, Mayor  
Bridges, D. Anderson, Councilman  
Michael L. Jones, Jr., Councilman  
Andy Alexander, Councilman  
Don Cotton, Councilman  
Tom Albritton, City Attorney

ABSENT:

Terry Powell, Councilman

Mayor Andrews presided at the meeting and called the meeting to order after which Councilman Alexander voiced the invocation and led in the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES:

A motion was made by Councilman Jones, seconded by Councilman Cotton, and unanimously voted to approve the minutes of the Regular Council Meeting of January 18, 2005 as written.

COUNCIL AWARDS BID FOR VIDEO INSPECTION OF SEWER LINES FOR SNOWDEN DRIVE-PACKER AVENUE CDBG PROJECT:

Mayor Andrews stated that bids were opened on January 25, 2005 for the video inspection of sewer lines for the Snowden Drive/Packer Avenue Community Development Block Grant Project (#LR-CM-PF-01-015). The Mayor then recapped the bids received as follows:

Video Industrial Services.....	\$19,617.75
South Baldwin Plumbing.....	\$22,501.05
Boatman Construction.....	\$25,769.25
Smith Industrial Services.....	\$28,695.25
Ground & Pipe Technologies.....	\$33,933.50
Southeast Pipe Survey.....	\$38,585.25
AUI, LLC.....	\$68,578.75

Mayor Andrews stated that Mr. Bob Carter, the City's engineer for this project, has reviewed all bid proposals and documents and recommends the bid be awarded to the low bidder, Video Industrial Services, for \$19,617.75. The Mayor then introduced Resolution No. 2005-2 for consideration as follows:

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2005-2**

WHEREAS, the City of Andalusia was awarded Community Development Block Grant Project No. LR-CM-PF-04-015 for the purpose of rehabilitating the sanitary sewer system in the Snowden Drive / Packer Avenue area of the City, and

WHEREAS, bid notices were duly published for Phase I, Video Inspection and publicly opened at 2:00 PM on January 25, 2005, with the low bidder being Video Industrial Services, and

WHEREAS, Bob Carter & Associates, LLC, project engineer, has recommended contract award to the low bidder, and Roth, McHugh & Associates, LLC, project administrator, has indicated that Video Industrial Services does not appear on the excluded parties list for Federal projects.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, as follows:

SECTION 1. That the contract for Phase I of the sanitary sewer rehabilitation in the Snowden Drive / Packer Avenue area of the City as funded by CDBG Project No. LR-CM-PF-04-015 be awarded to Video Industrial Services for the amount of \$19,617.75.

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**SECTION 2.** That Jerry B. Andrews, in his capacity as Mayor, is hereby authorized and directed to take such actions as may be required to proceed with project implementation.

PASSED, ADOPTED AND APPROVED this 1<sup>st</sup> day of February, 2005.

THE CITY OF ANDALUSIA, ALABAMA

By: \_\_\_\_\_  
Jerry B. Andrews, Mayor

ATTEST:

\_\_\_\_\_  
Pam Steele, City Clerk

A motion was made by Councilman Jones, seconded by Councilman Alexander, and unanimously voted to approve Resolution No. 2005-2 as presented.

**LETTER OF COMMENDATION PRESENTED TO CITY EMPLOYEE ROBERT ELLIOTT:**

Mayor Andrews stated that he received a memorandum from Police Chief Wilbur Williams informing him of Robert Elliott's actions shortly after his coworker, Mr. Jerry Cross, sustained serious injuries while working at the Tracy-Luckey Building. The Mayor stated that Mr. Elliott immediately responded after hearing an explosion and found Mr. Cross injured. Mr. Elliott maintained his composure throughout the ordeal and notified the appropriate authorities. He said Mr. Elliott immediately began to offer aid and comfort to Mr. Cross until paramedics arrived and he remained at the scene and was very helpful to investigators determining how the accident occurred.

Mayor Andrews then presented Mr. Elliott with the following Letter of Commendation:

# City of Andalusia

Office of the Mayor



## LETTER OF COMMENDATION

*Presented to*

# Robert Elliott

in recognition of his actions on December 20, 2005  
when a co-worker was seriously injured

*I am honored to present this Letter of Commendation and offer my sincere thanks and appreciation for your quick thinking and compassion in coming to the aid of your co-worker. I also extend thanks on behalf of the City Council and all our area citizens.*

*Witness my hand this 1<sup>st</sup> day of February, 2005*

\_\_\_\_\_  
Jerry B. Andrews, Mayor  
City of Andalusia, Alabama

The Mayor and City Council commended Mr. Elliott for his actions.

**COUNCIL HOLDS PUBLIC HEARING TO HEAR COMMENTS REGARDING PROPOSED AMENDMENT TO ZONING ORDINANCE TO CHANGE SET-BACK REQUIREMENTS FOR B-2 AND B-3 ZONES:**

Mayor Andrews stated that this was the time and place, as previously advertised, to hear comments regarding a proposed amendment to the zoning ordinance to change set-back requirements for B-2 and B-3 zones. Mayor Andrews declared the Public Hearing open and asked if there was anyone present who wished to speak in favor of or against the proposed amendment. There being no one present who wished to speak, Mayor Andrews declared the Public Hearing closed.

**COUNCIL HEARS FIRST READING OF PROPOSED ORDINANCE TO AMEND ZONING ORDINANCE REGARDING SET-BACK REQUIREMENTS FOR B-2 AND B-3 ZONES:**

Mayor Andrews read the following proposed ordinance into the record:

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**PROPOSED ORDINANCE**

*An Ordinance Amending the Andalusia City Code to Amend the Zoning Ordinance Regarding Set Back Requirements for B-2 and B-3 Zones*

**BE IT ORDAINED** by the Mayor and City Council of the City of Andalusia, Alabama that Section 74.0 [(e)], Article VI, Appendix A - Zoning of the Code of Ordinances be repealed and the following substituted in its place to read as follows:

**Sec. 74.0. B-2 and B-3 Commercial district.**

[(e)] *Minimum yard size:* Front, none; side, none; rear, twenty (20) feet.

In all other respects Andalusia City Code, as previously adopted, shall remain in full force and effect.

This ordinance shall become effective upon publication as required by law.

**ADOPTED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2005.

**THE CITY OF ANDALUSIA, ALABAMA**

**XXXXXXXXXXXXXXXXXXXXXXXXXXXX**

**BY: \_\_\_\_\_**

**Jerry B. Andrews, Mayor**

**ATTEST:**

**XXXXXXXXXXXXXXXXXXXXXXXXXXXX**

\_\_\_\_\_

Pam Steele, City Clerk

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Mayor Andrews stated this will be considered the first reading of the proposed ordinance which will be eligible for consideration at the next meeting.

COUNCIL REJECTS BIDS FOR REMOVAL OF JOHNSON PARK GYMNASIUM FLOOR:

Mayor Andrews stated the bids were opened on January 31, 2005 for the removal and disposal of the Johnson Park gymnasium floor. He recapped the bids received as follows:

RAM Enterprises, Inc.....\$7,370.00  
Clark Contracting Company.....\$13,899.00

Mayor Andrews stated that Director of Leisure Services Dwight Mikel recommends that the bids be rejected and the work be completed using City forces.

A motion was made by Councilman Anderson, seconded by Councilman Cotton, and unanimously voted to reject all bids received for the removal of the Johnson Park gymnasium floor.

COUNCIL TAKES NO ACTION ON PENDING BOARD APPOINTMENTS:

Mayor Andrews stated that it has been decided to postpone consideration of pending board appointments until the next meeting.

Councilman Cotton announced that there are two vacant positions on the Retiree Relocation Advisory Committee and asked anyone who is interested in volunteering to serve on this Committee to contact him, Mrs. Martha Duggan, or Mrs. Gwen Kelley.

COUNCIL DECLARES PROPERTY A PUBLIC NUISANCE:

Building Inspector Ronnie Pate presented the following report for consideration by the City Council:

- 1) Property Address: 200 Cadiz Street
- Parcel Number: 23-13-4-20-2-003-001-000
- Property Owner: Robert Patrick Bush
- Specific Violations:
  - a) The property contains unlawful garbage, rubbish, and other refuse accumulation as described in § 13-21(A) of the Code of Ordinances of Andalusia, Alabama.
  - b) The property contains an unlawful growth of weeds as described in § 13-33 of the Code of Ordinances of Andalusia, Alabama.
  - c) The property violates the Standard Plumbing Code, 1997 edition (including revisions) adopted in § 5-20 of the Code of Ordinances of Andalusia, Alabama.
  - d) The property violates the Standard Mechanical Code, 1997 edition (including revisions) adopted in § 5-30 of the Code of Ordinances of Andalusia, Alabama.
  - e) The property violates the Standard Gas Code, 1999 edition (including revisions) adopted in § 5-40 of the Code of Ordinances of Andalusia, Alabama.
  - f) The property violates the National Electric Code, 1999 edition (including revisions) adopted in § 5-62 of the Code of Ordinances of Andalusia, Alabama.
  - g) The property violates the Standard Building Code, 1999 edition (including revisions) adopted in § 5-5 of the Code of Ordinances of Andalusia, Alabama.
  - h) The property violates the Article V - Unsafe Structures, of Chapter 5 of the Code of Ordinances of Andalusia, Alabama.
  - i) The property constitutes a public nuisance.
- Building Inspectors Recommendation: Demolition.

Mayor Andrews introduced Resolution No. 2005-3 for consideration as follows:

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2005-3**

**BE IT RESOLVED** by the City Council of the City of Andalusia, Alabama that we, after having examined the report of the City Building Inspector, do hereby find that the property in question specifically described below and denominated as parcel numbers by the Revenue Commission of Covington County is hazardous to the

health, safety, welfare, and morals of the citizens of Andalusia and thereby constitute a public nuisance pursuant to the Alabama Act No. 94-540 as adopted by the City Council of the City of Andalusia:

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- 1) 200 Cadiz Street - Parcel #23-13-4-20-2-003-001-000

**BE IT FURTHER RESOLVED** that the City Council hereby authorizes the Building Inspector and the City Attorney to proceed with the abatement of these nuisances as authorized under State of Alabama Act. No. 94-540 as adopted by the City of Andalusia.

**ADOPTED AND APPROVED** this 1<sup>st</sup> day of February, 2005.

**THE CITY OF ANDALUSIA, ALABAMA**

**BY:** \_\_\_\_\_  
**Jerry B. Andrews, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Pam Steele, City Clerk**

A motion was made by Councilman Anderson, seconded by Councilman Alexander, and unanimously voted to approve Resolution No. 2005-3 declaring the property in the Building Inspector's Report as a public nuisance and authorizing the Building Inspector and the City Attorney to proceed with the abatement of the nuisances.

**ANNOUNCEMENTS:**

- 1) Mayor Andrews announced that a bid opening will be held on February 9, 2005, at 2:00 p.m. for the Johnson Skate Park.
- 2) Mayor Andrews announced that a bid opening will be held on February 11, 2005, at 2:00 p.m. for two police cars.
- 3) Mayor Andrews announced that City Clerk/Treasurer Pam Steele has resigned from her position effective February 18, 2005. The Mayor stated that he will prepare a job announcement for the position of City Clerk and will accept applications for consideration by the City Council.

**COUNCIL HEARS REPORT ON LITTER CONTROL:**

Leisure Services Director Dwight Mikel addressed the City Council to report on his department's efforts to control litter. Mr. Mikel stated that his litter control efforts are concentrated in high-traffic areas and asked for the community's help in keeping litter controlled in neighborhoods. Mr. Mikel said that litter is a serious problem in our City. He asked that citizens also help by being cautious while traveling near crews working on the side of the road.

**ADJOURNMENT:**

There being no further business to come before the City Council, the meeting was adjourned.

**THE CITY OF ANDALUSIA, ALABAMA**

**BY:** \_\_\_\_\_  
**Jerry B. Andrews, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Pam Steele, City Clerk**

