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STATE OF ALABAMA  
 COUNTY OF COVINGTON

ANDALUSIA, ALABAMA

JUNE 21, 2005

REGULAR COUNCIL MEETING

The City Council of the City of Andalusia, Alabama, convened in a regular council meeting of June 21, at 6:00 P.M., in the auditorium in city hall at 505 East Three Notch Street. The roll was checked by City Clerk John Thompson 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:

Councilman Jones moved that the minutes from the previous regular council meeting of June 7, 2005, be approved. Councilman Anderson seconded the motion, and it was approved unanimously.

MAYOR REPORTS ON COMMUNITY DEVELOPMENT BLOCK GRANT/ECONOMIC DEVELOPMENT INFRASTRUCTURE APPLICATION:

Mayor Andrews reviewed the grant application process that the City of Andalusia, through the utilities board, Covington County, and the City of Opp, will enter into. The grant, which will provide funds for water and sewer infrastructure to the airport, will be prepared by the Southeast Alabama Regional Planning and Development Commission. Councilman Jones asked that the minutes reflect that he asked the mayor to confirm to the council that the local match funds for the CDBG application were included in the EJM budget previously presented to the council (by R. Clifton). Specifically, that it is part of the \$600,000 in local match funds, of which the city has pledged \$200,000. After confirming this information to Councilman Jones, Mayor Andrews presented Resolution 2005-17 authorizing the mayor to sign the application as follows:

**CITY OF ANDALUSIA  
 ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2005-17**

**WHEREAS**, The City of Andalusia, Alabama, is hereby making known its intention to apply to the State of Alabama for a FY 2005 Community Development Block Grant program (Economic Development Infrastructure Fund) grant under the provisions set forth in Title I of the Housing and Community Development Act of 1974; and

**WHEREAS**, Andalusia, Alabama recognizes it will require professional services for the development of the FY 2005 CDBG Economic Development Infrastructure grant application and administrative services upon successful funding approval; and

**WHEREAS**, this legislative body of Andalusia, Alabama, recognizes Jerry Andrews, Mayor, of the City of Andalusia, Alabama, as the appropriate official authorized to act on behalf of the City in such dealings; and

**WHEREAS**, this body acknowledges that the Mayor's signature shall be binding upon Andalusia, Alabama, in such matters;

MINUTES, CITY OF ANDALUSIA COUNCIL

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THEREFORE, BE IT HEREBY RESOLVED, that this legislative body of Andalusia, Alabama, hereby authorizes Mayor Jerry Andrews, to act as the appropriate City official on behalf of Andalusia, Alabama, in dealings with the State of Alabama, to sign any and all necessary forms for the Community Development Block Grant/Economic Development Infrastructure application as well as any necessary contracts and other agreements between Andalusia, Alabama, and the State of Alabama.

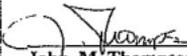
BE IT FURTHER RESOLVED, that Andalusia, Alabama also authorizes the Southeast Alabama Regional Planning & Development Commission, a non-profit agency familiar with the preparation of CDBG grants to assist Andalusia with project grant preparation services and administrative services upon funding and further authorizes preliminary project engineering development services to be provided through DMD Engineers for required items needed in the project application development.

ADOPTED AND APPROVED this 21<sup>st</sup> day of June, 2005.

THE CITY OF ANDALUSIA, ALABAMA

BY:   
Jerry B. Andrews, Mayor

ATTEST:

  
John M. Thompson, City Clerk

Councilman Alexander moved that Resolution 2005-17 be adopted. Councilman Anderson seconded the motion which passed unanimously.

MAYOR REPORTS ON TRAFFIC SIGNAL PERMIT WITH ALDOT:

Mayor Andrews introduced Resolution 2005-18 which authorizes the mayor to sign a traffic signal agreement with the Alabama Department of Transportation.

CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA  
RESOLUTION NO. 2005-18

WHEREAS, The Alabama Department of Transportation ("ALDOT") has requested the City of Andalusia, Alabama to execute a permit for the installation of a new traffic signal at U.S. Highway 84 and Avant Drive/Sanford Road, a new traffic signal at the U.S. Highway 84 and Wal-Mart West Access intersection, and the modification of an existing traffic signal at the U.S. Highway 84 and U.S. Highway 29/East Three Notch Street intersection pursuant to Exhibit A attached hereto; and

WHEREAS, the city council has considered the request of the ALDOT to authorize the mayor to enter into an agreement to permit the installation of the traffic signals and modification of the existing traffic signal as identified hereinabove;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, at a regular meeting, duly assembled, a quorum being present, as follows:

1. That the mayor and city clerk are hereby authorized to execute the permit (Exhibit A) with the Alabama Department of Transportation to permit the following:
  - a. Installation of a new traffic signal at the U.S. Highway 84 and Avant Drive/Sanford Road intersection; installation of a new traffic signal at the U.S. Highway 84 and Wal-Mart West Access intersection; and modification of an existing traffic signal at the U.S. Highway 84 and U.S. Highway 29/East Three Notch Street intersection; and
  - b. Operation and maintenance of a new traffic signal at the U.S. Highway 84 and Avant Drive/Sanford Road intersection; operation and maintenance of a new traffic signal at the U.S. Highway 84 and Wal-Mart West Access intersection; and continued operation and maintenance of an existing traffic signal at the U.S. Highway 84 and U.S. Highway 29 East Three Notch Street intersection.
2. That the mayor and city clerk are authorized to execute any documents necessary to permit the construction of the new traffic signals and modification of the existing traffic signal provided herein above as required by the Alabama Department of Transportation.

# MINUTES, CITY OF ANDALUSIA COUNCIL

WALLER BUSINESS FORMS EPN111045

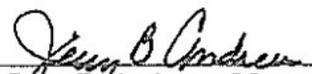
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3. That this resolution shall become effective immediately upon its adoption by the City Council of the City of Andalusia, Alabama.

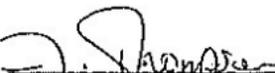
**ADOPTED AND APPROVED** this 21<sup>st</sup> day of June, 2005.

**THE CITY OF ANDALUSIA, ALABAMA**

BY:

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

**ATTEST:**

  
\_\_\_\_\_  
John M. Thompson, City Clerk

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Permit Number \_\_\_\_\_

Project Number \_\_\_\_\_

Division SEVENTHCounty COVINGTON

STATE OF ALABAMA acting by and through the  
ALABAMA DEPARTMENT OF TRANSPORTATION  
AGREEMENT FOR THE INSTALLATION AND/OR MAINTENANCE OF  
TRAFFIC CONTROL SIGNALS AND/OR STREET LIGHTING

This Agreement, in accordance with resolution number \_\_\_\_\_ dated \_\_\_\_\_, attached hereto and made a part of this Agreement, is made and entered into by and between the Alabama Department of Transportation (hereinafter referred to as STATE), CITY OF ANDALUSIA, ALABAMA (hereinafter referred to as OWNER), and  applicable  not applicable) WAL-MART STORES EAST, LP (hereinafter referred to as PERMITTEE, if applicable and so indicated) for the accomplishment of the following work as hereinafter indicated by the alphabetic letter of X marked in parenthesis, to wit:

- (X) A. Installation of new:  
 Traffic Control Signals                       Flashing Signal(s)  
 Street Lighting     Other: \_\_\_\_\_
- (X) B. Upgrading of existing traffic control signal(s) and/or street lighting.
- C. Removal of existing traffic control signal(s) and/or street lighting.
- (X) D. Operation and maintenance of installed or upgraded existing traffic control signal(s) and/or street lighting.

The accomplishment of the work above indicated by the alphabetic letter X marked in parenthesis and hereinafter signified by the use of the corresponding alphabetic letter A, B, C, and/or D as applicable, will be at the following location(s): *NOTE - If more space is needed, please use continuation sheets.*

U.S. HIGHWAY 84 AT AVANT DRIVE/SANFORD ROAD (A AND D)

U.S. HIGHWAY 84 AT WAL-MART WEST ACCESS (A AND D)

U.S. HIGHWAY 84 AT U.S. HIGHWAY 29/EAST THREE NOTCH STREET (B AND D)

Now therefore, in consideration of the benefits occurring to each of the parties to this Agreement from the accomplishment of the work hereinbefore describes, the parties hereto do hereby agree to the following provisions and terms for the accomplishment of the work hereinabove identified.

1. In the event the work to be accomplished is hereinabove identified by A and/or B, the  STATE  OWNER  PERMITTEE will furnish and the  STATE  OWNER  PERMITTEE will install the equipment and/or associated hardware utilized in the accomplishment of the work. In the event the STATE contributes funds to the work and the OWNER and/or PERMITTEE will be credited or debited for under-runs or overruns respectively, the "Exhibit O" is attached to and made a part of this agreement.
2. In the event the OWNER and/or PERMITTEE agrees to furnish and install the equipment and/or associated hardware as its own expense, the STATE will not participate in either the purchase, installation, maintenance, or provision of electrical energy for the equipment and/or associated hardware.
3. The equipment and/or associated hardware shall be installed in accordance with the applicable following:
  - A. Manual on Uniform Traffic Control Devices for Streets and Highways, current edition.
  - B. The State of Alabama Special and Standard Highway Drawings, current year version.
  - C. The National Electrical Code, current edition.
  - D. Alabama Department of Transportation Standard Specifications of Highway Construction, current edition.
  - E. Special Provision #3483, dated 15 September 1999, SECTION 750 - Furnishing & Installing Roadway Lighting System.
  - F. Code of Alabama, 1975 (as Amended) with specific reference to:
    - 1) 23-1-113, Municipal Connecting Link Roads - Stipulation and conditions [specifically subparagraphs (6) and (7)].
    - 2) 22-5A-32, Traffic-control signal legend.
    - 3) 22-5A-33, Pedestrian-control signals.
    - 4) 22-5A-34, Flashing signals
    - 5) 22-5A-35, Lane-direction-control signals.
4. The STATE shall determine the type, quality, and quantity of the equipment and/or associated hardware to be utilized in the accomplishment of the work hereinbefore provided for under this Agreement. In the event the OWNER and/or PERMITTEE furnishes and/or installs the equipment and/or associated hardware to be utilized in the accomplishment of the work hereinabove identified by A and/or B, the OWNER and/or PERMITTEE shall ascertain that the type and quality of the equipment and/or associated hardware is in accordance with the STATE's Materials, Sources, and Devices with Special Acceptance Requirements as maintained by the STATE's Bureau of Materials and Tests.
5. Title to any and all equipment and/or associated hardware furnished by the STATE shall remain in the STATE and the STATE is deemed to be the sole owner of such equipment and/or hardware.

MINUTES, CITY OF ANDALUSIA COUNCIL

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- 6. The equipment and/or associated hardware shall be operated and maintained at the sole expense of the OWNER. The OWNER agrees to provide electrical energy on a continuing basis as required, beginning at the time of initial electrical service connection during the construction of the system. The OWNER agrees further to maintain said equipment and/or associated hardware in good state of repair at all times, as required in accordance with the applicable documents: Manual on Uniform Traffic Control Devices for Streets and Highways; Alabama Department of Transportation Standard Specifications for Highway Construction; and Special Provision #3483, dated 15 September 1999, SECTION 750. Any traffic control signal equipment and/or associated hardware must also be in accordance with any traffic signal operating plan of the STATE which is in effect at the applicable time of such maintenance. If a malfunction of the equipment and/or associated hardware should ever occur, the OWNER shall effect repairs immediately. If said malfunction presents a potential hazard to the motoring public and the OWNER is unable to repair the equipment and/or associated hardware in a timely manner as determined by the STATE, the STATE reserves the right to repair the equipment and/or associated hardware and invoice the owner for all costs incurred. The OWNER agrees to pay to the STATE all such costs incurred by the STATE promptly upon receipt of the invoice from the STATE.
- 7. Removal of the equipment and/or associated hardware, hereinabove identified by C, will be at the sole expense of the ( ) STATE ( ) OWNER ( ) PERMITTEE.
- 8. The STATE reserves the right to demand the removal of the equipment and/or associated hardware should the STATE deem its condition or operation hazardous. Further, the STATE shall have the right to remove the equipment and/or associated hardware should the OWNER fail to do so upon demand by the STATE. Any equipment and/or associated hardware which is deemed by the STATE to be non-uniform or obsolete equipment and/or associated hardware which has been removed shall be reused on the STATE highway system.
- 9. In the event the STATE furnished equipment and/or associated hardware is removed by the OWNER at any future time, all such equipment shall be removed and returned to the STATE.
- 10. If future traffic conditions require changes and/or adjustments to said equipment and/or associated hardware (other than ordinary timing), the OWNER will obtain the approval of the STATE before such changes are implemented. All such changes shall be at the sole cost and expense of the OWNER.
- 11. In the event Federal funds are utilized in the accomplishment of the work hereinbefore described, "Exhibit M" is attached to and made a part of this Agreement.
- 12. **FUNDS SHALL NOT BE CONSTITUTED AS A DEBT**

It is agreed that the terms and commitments contained herein shall not be construed as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this Agreement shall contravene any statute of Constitutional provision or amendment, either now in effect or which may, during the course of this Agreement, be enacted, then the conflicting provision in the Agreement shall be deemed null and void.

For any and all disputes arising under the terms of this Agreement, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General's Office of Administrative Hearings or where appropriate, private mediators.

- 13. **TERMINATION DUE TO INSUFFICIENT FUNDS**
  - (a). If the Agreement term is to exceed more than one fiscal year, then said Agreement is subject to termination in the event that funds should not be appropriated for the continued payment of the agreement in subsequent fiscal years.
  - (b). In the event of proration of the fund from which payment under this Agreement is to be made, this Agreement will be subject to termination.
- 14. Traffic volume counts, traffic signal warranting criteria, traffic signal diagrams, and final construction plans, as applicable are attached hereto and made part of this Agreement.
- 15. Type and number of signal heads (Example: 1 each 1 way, 3 sections, 12 in. red, 12 in. yellow, 12 in. green).  
**SEE ATTACHED PLANS**

TYPE OF SIGNAL	
<input checked="" type="checkbox"/> Traffic Control	<input type="checkbox"/> Pedestrian Control
<input type="checkbox"/> Flashing Beacon	<input type="checkbox"/> Lane Control
<input type="checkbox"/> Flashing Flasher	<input type="checkbox"/> R.R. Crossing
<input type="checkbox"/> Flasher With Sign Message	
_____	
<input type="checkbox"/> Other	
_____	
_____	

CONTROLLER	
Make: _____	Model #: _____
<input type="checkbox"/> Fixed Time	<input type="checkbox"/> Two Phase
<input type="checkbox"/> Semi Actuated	<input type="checkbox"/> Four Phase
<input checked="" type="checkbox"/> Full Actuated	<input type="checkbox"/> Eight Phase
	<input type="checkbox"/> Other
_____	
_____	
SYSTEM <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

- 16. Distance in feet to the nearest adjacent traffic control signal:  
North n/a South n/a East n/a West n/a
- 17. Vertical and horizontal clearance for all traffic control signal equipment and/or associated hardware shall be in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways and the Alabama Department of Transportation Special and Standard Highway Drawings, current year edition.
- 18. The cycle length for actuated controller(s) shall be dictated by traffic actuation of the detectors, with minimum time ratios established from data contained in the traffic volume count. The cycle length and green time for fixed time controller(s) shall be dictated by the traffic volume count with adjustments when STATE approved.
- 19. In the event the warranting of the traffic signal(s) is based on projected traffic volumes developed and generated by a qualified Transportation Engineering consulting firm using computer programs, data and methodology noted in the Transportation Research Board's Highway Capacity Manual and the Institute of Transportation Engineers Trip Generation Handbook.

MINUTES, CITY OF ANDALUSIA COUNCIL

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If after the traffic signal is installed, the actual traffic volumes do not meet the Manual on Uniform Traffic Control Devices projected warranting criteria, the STATE reserves the right to demand the removal of the traffic signal and/or associated hardware from the STATE highway system.

- 20. In the event the work to be accomplished is hereinbefore identified by A and/or B and (1) in part or wholly constitutes an interconnected, coordinated, fixed time relationship, signal control operation between two or more intersections (herein referred to as a SYSTEM and hereinabove indicated by the alphabetic letter X marked in parenthesis in the controller box above), (2) is located within the limits of a SYSTEM, or (3) is within close proximity as to adjoin a SYSTEM. The (X) PERMITTEE (X) STATE ( ) OWNER shall substantiate the work identified by A and/or B to be SYSTEM compatible. Evidence of substantiation shall be submitted to the STATE prior to the execution of this Agreement and shall include a minimum of three (am peak, pm peak, and off peak) timing plans (cycle, split, and offset combinations) for all phasing sequences with associated time/space diagrams for each intersection location identified hereinbefore by A and/or B and any immediately adjoining intersection(s) not identified hereinbefore but part of a SYSTEM. Said submittals may be computer generated; submittals may include simulation file data. The STATE reserves the right to require the use of any existing timing plan(s) in effect prior to the execution of this Agreement if the work constitutes an addition to or part of a SYSTEM; any use of the existing number of timing plans may supersede the hereinabove required minimum of three. Submittal data described herein, as applicable, are attached hereto and made a part of this Agreement.

In witness whereof, the parties hereto have caused this Agreement to be executed by those officers, officials, and persons therunto duly authorized, and the Agreement is deemed to be dated and to be effective on the date stated hereinafter as the date of the approval of the Maintenance Engineer.

WAL-MART STORES EAST, LP a Delaware limited partnership  
By: WISE MANAGEMENT, L.L.C. its General Partner  
Legal Name of PERMITTEE (if applicable)

(Seal of OWNER)

By: \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Legal Name of OWNER

Attest: \_\_\_\_\_

By: \_\_\_\_\_  
Authorized Signature

Recommended for approval:

By: \_\_\_\_\_  
Division Engineer

Approved as to form:

By: \_\_\_\_\_  
Jim R. Ippolito, Jr.  
Chief Counsel  
Alabama Department of Transportation

STATE OF ALABAMA acting by and through the ALABAMA DEPARTMENT OF TRANSPORTATION

The within and foregoing Agreement is hereby approved on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

APPROVED

By: \_\_\_\_\_  
State Traffic Engineer

By: \_\_\_\_\_  
Maintenance Engineer

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After some discussion, Councilman Alexander moved and Councilman Anderson seconded that Resolution 2005-18 be adopted. The motion carried as follows:

Yes  
Alexander  
Anderson  
Andrews  
Cotton

No  
Jones

COUNCIL RECOGNIZES ALEXA JONES, MISS ALABAMA 2005

Mayor Andrews announced the recent crowning of Miss Alexa Jones as Miss Alabama 2005-2006. He expressed pride and congratulations on behalf of all citizens of Andalusia and noted the many accomplishments of Miss Jones. He added that plans were underway to formally welcome Miss Jones home to Andalusia. Mayor Andrews introduced Resolution 2005-20 as follows:

# City of Andalusia



## RESOLUTION

**Alexa Jones  
Miss Alabama**

**WHEREAS**, Andalusia, Alabama is proud to claim Alexa Jones, Miss Alabama 2005-2006, as one of its favorite outstanding citizens; and

**WHEREAS**, Alexa Jones is the founder of the Renaissance Foundation, a non profit organization whose objective is to support the arts in education in Alabama; and

**WHEREAS**, special commendation and congratulations are due Alexa Jones;

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Andalusia, on behalf of all our citizens that this expression of our pride and appreciation be conveyed to Alexa Jones, Miss Alabama 2005-2006.

**WITNESS MY HAND** this 21<sup>st</sup> day of June, 2005.

THE CITY OF ANDALUSIA, ALABAMA

BY: Jerry B. Andrews  
Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson  
John M. Thompson, City Clerk

## MINUTES, CITY OF ANDALUSIA COUNCIL

WALLER BUSINESS FORUM PRINTING

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Councilman Jones moved that Resolution No. 2005-20 be adopted. Councilman Cotton seconded the motion which passed the council unanimously.

MAYOR REPORTS E-911 REQUEST FOR STREET NAME CHANGE:

Mayor Andrews reported E-911 had requested that Dogwood Road in Andalusia be renamed. Councilman Cotton moved that the issue be tabled until further research could be completed. Councilman Jones seconded the motion which passed unanimously.

COUNCIL APPROVES TRANSFER OF BEER LICENSE FOR CONVENIENCE STORE:

Mayor Andrews brought a request to the council from the Alabama Alcoholic Beverage Control Board for a transfer of ownership of a retail establishment which possessed a beer license. He noted that the ABC Board had approved of the transfer prior to sending it to the council.

Councilman Jones moved that the license transfer be approved. Councilman Alexander seconded the motion which passed the council unanimously.

MAYOR REPORTS ON POLICE DEPARTMENT EQUIPMENT

Mayor Andrews noted that the police department had experienced the loss of a recording system of vital importance. He added that repair would total \$2,390.00.

Councilman Anderson moved to pay for the repair with proceeds from the contingency fund. Councilman Jones seconded the motion which passed unanimously.

COUNCIL AUTHORIZES CITY CLERK TO SIGN CONFIRMATION LETTER IN REGARDS TO SOUTHEAST MATERIALS:

After a report from City Attorney Tom Albritton concerning business licensing with regard to Southeast Materials, Councilman Cotton moved to allow the city clerk to sign an agreement with Southeast Materials. Councilman Alexander seconded the motion which passed the council unanimously.

MAYOR AUTHORIZED TO SIGN CONTRACT WITH ALABAMA INTERACTIVE (MVR):

Mayor Andrews reported that he needed council approval to sign a contract with Alabama Interactive which would provide the city with employee motor vehicle records information. Councilman Anderson moved to authorize the mayor to sign the contract with Alabama Interactive. Councilman Cotton seconded the motion which carried unanimously.

MAYOR REPORTS THE COMPENSATION FOR ACTING CITY CLERK:

Mayor Andrews reported that during the time that the city was without a city clerk, Deborah Spivey was named acting city clerk. He commended Mrs. Spivey for excellent performance during her tenure, but noted that she had not been compensated. Councilman Alexander motioned that Mrs. Spivey be paid \$500.00 for serving as acting city clerk. Councilman Jones seconded the motion which passed unanimously.

COUNCIL REPORTS ON CITIZENS REQUESTING A FOUR-WAY STOP AT WATERFORD ROAD AND MEADOWBROOK DRIVE:

Mayor Andrews announced the council had received citizen complaints forms requesting a four-way stop be installed at the intersection of Waterford Road and Meadowbrook Drive. Councilman Cotton motioned that the four-way stop be installed. Councilman Anderson seconded the motion which passed the council unanimously.

MAYOR REPORTS ON THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP):

Mayor Andrews announced the Low Income Home Energy Assistance Program (LIHEAP) will offer assistance to citizens who need help paying cooling bills. Councilman Jones reiterated the mayor's comments and added that he hoped to increase awareness of the program.

MAYOR PRESENTS ORDINANCE NO. 2005-5 IN REGARDS TO SCHOOL FUNDING:

Mayor Andrews reported of recent discussions and meetings with the Andalusia City Board of Education and of the needs of the board. He then presented Ordinance No. 2005-5 as follows for the first reading:

PAGE NINECITY OF ANDALUSIA  
ANDALUSIA, ALABAMA

## ORDINANCE 2005-5

WHEREAS, the City of Andalusia presently receives fifteen (15) mils of ad valorem taxes per year; and

WHEREAS, the City of Andalusia presently distributes seven and one-half (7 ½) mils to the Andalusia City Board of Education of the previously mentioned fifteen (15) mils of which said seven and one-half (7 ½) mils is earmarked for teacher salaries; and

WHEREAS, it is in the interests of the Andalusia City Council to meet and further the needs of the present and future students of the Andalusia City Schools; and

WHEREAS, the Andalusia City Council wishes to distribute an additional (2 ½) mils of the original fifteen (15) mils to meet the needs of the Andalusia City Board of Education of which said (2 ½) mils shall be earmarked for capital improvements; and

WHEREAS, the redistribution mentioned in the previous paragraph will commence with the 2006 fiscal budget year which begins on or about October 1, 2005; and

WHEREAS, it is the intent of the Andalusia City Council to distribute a total of ten (10) mils for the use and benefit of the Andalusia City Board of Education;

BE IT ORDAINED by the City Council of the City of Andalusia that beginning with the 2006 budget, which takes effect on or about October 1, 2005, that the Andalusia City Council shall disburse ten (10) mils of the fifteen (15) mils of the ad valorem taxes collected within the City of Andalusia, as codified by Ordinance No. 1979-5, and "An Ordinance," as referenced in the minutes of the Andalusia City Council meeting of May 21, 1957, for the use and benefit of the Andalusia City School Board whereby (2 ½) mils shall be earmarked only for capital improvements and (7 ½) mils shall be earmarked for teachers salaries.

ADOPTED AND APPROVED this 5<sup>th</sup> day of July, 2005.

THE CITY OF ANDALUSIA, ALABAMA

BY: 

Jerry B. Andrews, Mayor

ATTEST:

  
John Thompson, City Clerk

ANNOUNCEMENTS:

- 1) Councilman Cotton asked if the city had a policy relating to the disposal of paint and chemical containers containing the original materials. Mayor Andrews indicated that he didn't know of any means to dispose of such materials but would investigate further.
- 2) Councilman Anderson asked the council to consider increasing funding for the Bright Beginnings and Head Start Programs. Mayor Andrews responded that the council would take a closer look at the needs of these programs in the near future.

ADJOURNMENT:

There being no further business, the meeting was adjourned.

MINUTES, CITY OF ANDALUSIA COUNCIL

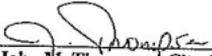
WALLER BUSINESS FORMS EP7111045

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THE CITY OF ANDALUSIA, ALABAMA

BY:   
Jerry B. Andrews, Mayor

ATTEST:

  
John M. Thompson, City Clerk