

STATE OF ALABAMA

ANDALUSIA, ALABAMA

COUNTY OF COVINGTON

AUGUST 2, 2005

REGULAR COUNCIL MEETING

The City Council of the City of Andalusia, Alabama, convened in a regular council meeting on August 2, 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  
Andy Alexander, Councilman  
Don Cotton, Councilman  
Terry Powell, Councilman  
Tom Albritton, City Attorney

ABSENT:

Michael L. Jones, Jr., Councilman

Mayor Andrews presided at the meeting and called the meeting to order after which Councilman Anderson voiced the invocation and led in the pledge of allegiance to the flag.

APPROVAL OF MINUTES:

Councilman Powell moved that the minutes from the previous council meeting of July 19, 2005 be approved. Councilman Anderson seconded the motion, and it was approved unanimously.

MAYOR ANNOUNCES SPECIAL COUNCIL MEETING:

Mayor Andrews announced that a special meeting of the Andalusia City Council would be held on Thursday, August 04, 2005, in the city hall auditorium, for the purpose of considering a development agreement with Wal-Mart and a lighting permit with the Alabama Department of Transportation.

MAYOR PRESENTS RESOLUTION 2005-23 TO COUNCIL:

Mayor Andrews presented the council with Resolution 2005-23, relating to the EJM/Acrohelipro project. He added that the City of Opp and Covington County had recently passed similar resolutions, committing to funding 20% and 50% of the project, respectively.

**RESOLUTION  
RELATING TO EJM and ACROHELIPRO PROJECT  
IN COVINGTON COUNTY, ALABAMA**

**RESOLUTION NO. 2005-23**

WHEREAS, the City of Andalusia (City) recognizes the importance of economic development to the well-being of the City of Andalusia and her citizens and the importance of partnering with all the cities and towns of the County, and the Covington County Commission, in a joint effort to enhance the growth in our existing businesses and improve our chances to recruit new business and industry; and

WHEREAS, the vehicle established for this partnership, and joint economic development, is the Covington County Economic Development Commission (CCEDC), and the City desires to commit to a level of cost-sharing, with regard to in-kind services and any required funding for joint economic development projects; and

WHEREAS, this type of cooperation and commitment is needed to maintain and expand existing businesses and to secure potential projects to bring new jobs to Covington County; and

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WHEREAS, the City has previously passed a Resolution of Intent relating to economic development in Covington County, Alabama; and

WHEREAS, EJM has decided to locate its business on the Andalusia-Opp Airport and

WHEREAS, Acroheliopro wishes to relocate its business to a new facility on the Airport; and

WHEREAS, both EJM and Acroheliopro will enter Lease Agreements with the Andalusia-Opp Airport Authority (the "Authority") to recoup some of the costs of these project; and

WHEREAS, the Authority needs the financial support and assistance of the City in order to meet the terms and conditions of these projects; and

WHEREAS, the City will call on all the towns who are not members of the CCEDC and the Covington County Commission to participate in meeting their fair share of said commitments in such manner as their budgets may allow,

Now, therefore, be it resolved as follows:

1. The City hereby declares that economic development and the creation of jobs to be a priority, and as such does hereby resolve to participate in the funding of the EJM and Acroheliopro projects.
2. That the City agrees to fund the EJM and Acroheliopro projects at a level of 30%, with the remaining participation to be funded by the cities represented on the Board of the CCEDC and the Covington County Commission as they may mutually agree.
3. In order to carry out the terms and conditions of the Agreement, the City authorizes and commits the use of its various resources (equipment, manpower, etc.) to provide assistance relating to site preparation, grading, paving, road development, building pad development, engineering and the like. The City also authorizes and commits its monetary contribution in lieu of or in addition to providing the use of manpower or equipment, etc.
4. The City agrees to work with the other cities and towns of Covington County, as well as the Covington County Commission, to foster a spirit of cooperation to enhance economic development for the mutual benefit of all citizens of Covington County.
5. The City further agrees to guarantee the indebtedness of the Authority regarding these projects and will pledge its revenues for the funding of these projects as may be reasonably required by the lending and financial institutions involved.
6. The Mayor and City Clerk are authorized and directed to execute such other documents or agreements to carry out the purpose and intent of this Resolution.

Adopted by the City Council of the City of Andalusia at a public meeting on this the 2<sup>nd</sup> day of August, 2005.

\_\_\_\_\_  
Jerry Andrews, Mayor

ATTEST:

\_\_\_\_\_  
John Thompson, City Clerk

Councilman Cotton moved that Resolution No. 2005-23 be adopted. Councilman Powell seconded the motion, which passed unanimously.

**MAYOR DISCUSSES BID FOR THE REPLACEMENT OF THE FLOOR AT JOHNSON PARK GYMNASIUM:**

Mayor Andrews presented a low bid of \$53,697.00 for the replacement of the floor at the Johnson Park Gymnasium. He added that the funds were in place, secured from insurance claims as a result of damage from Hurricane Ivan.

Councilman Anderson moved that the low bid be accepted. Councilman Powell seconded the motion, which passed unanimously.

MAYOR INTRODUCES RESOLUTION NO. 2005-24:

Mayor Andrews introduced Resolution No. 2005-24 which states that the City of Andalusia proposes to apply for a grant to aid in the construction of a splashpad adjacent to Cooper Pool.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2005-24**

**WHEREAS**, the City of Andalusia proposes to construct a splashpad facility at Cooper Pool to provide for the health and well-being of the general public; and

**WHEREAS**, the City of Andalusia intends to make applications to the Alabama Department of Economic and Community Affairs for grant assistance to construct a splashpad facility adjacent to Cooper Pool from the Land and Water Conservation Fund; and

**WHEREAS**, said programs are limited to funding a maximum of fifty percent (50%) of the proposed project costs estimated at \$179,0000.00 which will be used to develop the splashpad facilities at Cooper Pool.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Andalusia agrees to provide the remaining project costs through in-kind or cash match for the purpose of matching the Land and Water Conservation Fund assistance, and

**BE IT FURTHER RESOLVED**, that in the event a grant is awarded, the City of Andalusia understands that it will sign assurances to comply with all applicable Federal and State laws, rules and regulations.

**ADOPTED AND APPROVED** this 2<sup>nd</sup> day of August, 2005.

**THE CITY OF ANDALUSIA, ALABAMA**

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

**ATTEST:**

\_\_\_\_\_  
**John Thompson, City Clerk**

Councilman Powell moved that Resolution No. 2005-24 be adopted. Councilman Alexander seconded the motion, which passed unanimously.

**MAYOR PRESENTED TO COUNCIL THE NEED FOR A VEHICLE FOR BOTH THE DEPARTMENTS OF LEISURE SERVICES AND PLANNING AND DEVELOPMENT:**

Mayor Andrews told the council of the need for a vehicle for both the Departments of Leisure Services and Planning and Development. He said that the Department of Leisure Services wished to purchase a vehicle from the state surplus lot and transfer a vehicle to Planning and Development.

Councilman Cotton moved to purchase the vehicle from the state lot for \$5500.00 from the contingency fund. Councilman Anderson seconded the motion, which passed unanimously.

**MAYOR DISCUSSES OVERTIME COMPENSATION DURING HURRICANE DENNIS:**

Mayor Andrews reminded the council that in an emergency meeting prior to Hurricane Dennis, a consensus was reached regarding special compensation.

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Councilman Powell moved to pay hourly city employees an additional one-half (1/2) time so that they would receive the equivalent of double time pay for hours worked during the storm. He further moved that the mayor be given authority to compensate salaried employees who worked during the emergency with comp time. Councilman Anderson seconded the motion, which passed unanimously.

**COUNCIL WAIVES LICENSE FEES FOR SOUTH ALABAMA GUN AND KNIFE SHOW:**

Mayor Andrews announced that the South Alabama Gun and Knife Club had a request that the city waive any licenses or fees associated with its annual exposition.

Councilman Alexander moved that the licenses and fees be waived. Councilman Anderson seconded the motion, which passed unanimously.

**MAYOR PRESENTS RESOLUTION NO. 2005-21:**

Mayor Andrews presented Resolution No. 2005-21, giving the mayor the authority to sign and process all documents pertaining to the purchase and financing of a fire truck.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2005-21**

**WHEREAS**, the City of Andalusia wishes to purchase a used 1984 Pierce Arrow ladder Fire Truck; and

**WHEREAS**, bid specifications for said fire truck were prepared and advertised; after which the City Council awarded the bid to Brindlee Mountain Fire Apparatus for a total of \$89,000.00; and

**WHEREAS**, the city council desires to finance this amount through a loan with Regions Bank; and

**WHEREAS**, the city council recognizes Mayor Jerry B. Andrews as the appropriate official authorized to act on behalf of the council in such dealings; and

**WHEREAS**, this Council acknowledges that the Mayor's signature shall be binding upon the council in such matters;

**NOW, THEREFORE, BE IT RESOLVED** that the Andalusia City Council hereby authorizes Mayor Jerry B. Andrews to act as the appropriate city official to execute any and all necessary papers to complete this loan on behalf of the council.

**ADOPTED AND APPROVED** this 2nd day of August, 2005.

**THE CITY OF ANDALUSIA, ALABAMA**

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

**ATTEST:**

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

Councilman Powell moved that Resolution No. 2005-21 be adopted. Councilman Cotton seconded the motion, which passed unanimously.

MAYOR INTRODUCES PROCLAMATION DESIGNATING ROBERT HORRY DAY:

Mayor Andrews announced the intention of the city to honor the accomplishments of Robert Horry. He then introduced a proclamation designating August 31, 2005, as Robert Horry Day in Andalusia.

# City of Andalusia



## PROCLAMATION

WHEREAS, the City of Andalusia is proud to claim Robert Horry, world famous NBA Basketball Player, as one of its favorite and outstanding sons; and

WHEREAS, upon graduation from the Andalusia High School, Robert was awarded a full athletic scholarship by the University of Alabama, where he earned many honors as a member of the Crimson Tide Basketball Team; and

WHEREAS, since the beginning of his career with the NBA in 1992, Robert Horry has earned 6 NBA championships, 2 with the Houston Rockets, 3 with the Los Angeles Lakers, and 1 with the San Antonio Spurs; and

WHEREAS, Robert Horry stands tall not only on the basketball court but also in life as a generous individual, who has given back to his hometown in many ways, which is deserving of our recognition; and

WHEREAS, Robert Horry is a compassionate, hard working, role model for our young people who exemplifies a positive image both professionally and personally;

NOW, THEREFORE, I, Jerry B. Andrews, Mayor of the City of Andalusia, on behalf of the City Council and all our citizens, do hereby congratulate Robert Horry upon his outstanding career, especially on his latest championship, and wish him the best for his continued success, and do hereby proclaim August 31, 2005, as **ROBERT HORRY DAY** in the City of Andalusia, Alabama.

WITNESS MY HAND this 2<sup>nd</sup> day of August 2005.

THE CITY OF ANDALUSIA, ALABAMA

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

Councilman Anderson moved that the proclamation be approved. Councilman Alexander seconded the motion, which passed unanimously.

MAYOR INTRODUCES PROCLAMATION HONORING AND RECOGNIZING MEMBERS OF THE FIRST BATTALION, 117<sup>TH</sup> FIELD ARTILLERY, OF THE ALABAMA ARMY NATIONAL GUARD:

Mayor Andrews introduced a proclamation honoring and recognizing the members of the First Battalion, 117<sup>th</sup> Field Artillery, of the Alabama Army National Guard, on their deployment to Iraq.

# City of Andalusia

## PROCLAMATION

WHEREAS, the Commander-in-Chief of the United States of America has called the First Battalion, 117<sup>th</sup> Field Artillery, of the Alabama Army National Guard of Andalusia, Alabama, to serve in Operation Iraqi Freedom; and

WHEREAS, this unit accepts this mission with courage and resolve to bring peace and stability to the Iraqi people; and

WHEREAS, the sacrifice these soldiers and their families bear is tremendous and as a community we recognize this and offer our support to them; and

WHEREAS, we have a deep and abiding feeling of gratitude to these brave soldiers who give so much to extend the institution of American freedom and preserve and defend the United States of America from its enemies;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the Andalusia City Council and all our citizens that, I, Jerry B. Andrews, do hereby present this Proclamation to the First Battalion, 117<sup>th</sup> Field Artillery, of the Alabama Army National Guard of Andalusia, Alabama, and extend Godspeed and all our hopes and prayers for a safe and timely return at the completion of this mission.

WITNESS MY HAND this 2<sup>nd</sup> day of August 2005.

THE CITY OF ANDALUSIA, ALABAMA

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

Councilman Powell moved to approve the proclamation. Councilman Cotton seconded the motion, which passed unanimously.

### MAYOR ANNOUNCES ACCEPTANCE OF LT. PAUL HUDSON OF THE ANDALUSIA POLICE DEPARTMENT INTO FBI POLICE TRAINING ACADEMY:

Mayor Andrews announced the acceptance of Lt. Paul Hudson of the Andalusia Police Department into the FBI Academy in Quantico, VA. He added the course would last for three months and most of the expenses would be paid by the FBI. The remaining expenses totaling \$2500.00 would be the responsibility of the city.

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Councilman Powell moved that \$2500.00 be appropriated from the contingency fund to pay for the remaining expenses. Councilman Alexander seconded the motion, which passed unanimously.

### MAYOR ANNOUNCES THE DESIRE TO PROVIDE A RESOURCE OFFICER FOR THE ANDALUSIA MIDDLE SCHOOL:

Mayor Andrews announced the desire of the Andalusia Board of Education to partner with the city to provide a resource officer for the Andalusia Middle School. He added that the officer would be under the direction of the Andalusia Police Department. A memorandum of understanding with the Andalusia Board of Education will govern this arrangement.

Councilman Cotton moved to approve the appointment of a resource officer for the Andalusia Middle School. Councilman Powell seconded the motion, which passed unanimously.

**COUNCIL DISCUSSES REAPPOINTMENTS ON THE BOARD OF ZONING ADJUSTMENTS:**

Mayor Andrews announced that two applications had been received for two vacancies on the board of zoning adjustments. He added that applicants Larry Avery and Willie Locke were both able and well qualified for the positions.

Councilman Anderson moved that both Mr. Avery and Mr. Locke be reappointed to the board of zoning adjustments. Councilman Powell seconded that motion, which passed unanimously.

**MAYOR DISCUSSES ONGOING EFFORTS TO KEEP THE COURT SQUARE AREA CLEAN:**

Mayor Andrews announced that the city would no longer tolerate the continued abuse of private or public property around the Court Square. He said that he would instruct the police department to constantly patrol the square from 7:00 p.m. until midnight; the square would be closed at midnight.

**ANNOUNCEMENTS:**

- 1) Mayor Andrews announced that in an effort to hold a more open work session, the council was exploring the possibility of televising the work session.
- 2) Mayor Andrews announced an opening on the planning commission, three openings on the community enhancement committee, and one opening on the recreation board. He encouraged anyone interested in serving on any of these committees to contact the city clerk's office for more information.
- 3) Councilman Powell reported that he met with several veterans for the purpose of planning a special Veterans' Day celebration that would culminate at the Veterans Park behind city hall.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned.

**THE CITY OF ANDALUSIA, ALABAMA**

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

**ATTEST:**

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