

STATE OF ALABAMA

ANDALUSIA, ALABAMA

COUNTY OF COVINGTON

AUGUST 16, 2005

REGULAR COUNCIL MEETING

The City Council of the City of Andalusia, Alabama, convened in a regular council meeting on August 16, 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
Terry Powell, Councilman
Tom Albritton, City Attorney

ABSENT:

None

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 council meeting of August 2, 2005, and the special meeting of August 4, 2005, be approved. Councilman Powell seconded the motion, and it was approved unanimously.

MAYOR OPENED PUBLIC HEARING FOR PROPOSED RE-ZONING OF LEE WILLIAMS PROPERTY ON MLK EXPRESSWAY:

Mayor Andrews opened a public hearing for the purpose of giving the opportunity to address the rezoning of Lee Williams' property on the MLK Expressway. Mayor Andrews said that the Andalusia Planning Commission had conducted public hearings, advertised, and approved the ordinance. Hearing no comments, Mayor Andrews declared the hearing closed. He added that this concluded the first reading and the council would take the issue up at the next meeting.

MAYOR INTRODUCES RESOLUTION COMMITTING THE CITY OF ANDALUSIA TO A WATER/SEWER INFRASTRUCTURE PROJECT TO THE AIRPORT:

Mayor Andrews introduced Resolution No. 2005-25, committing the City of Andalusia to a water/sewer infrastructure project to the airport as follows:

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2005-25

WHEREAS, the City of Andalusia intends to apply to the Alabama Department of Economic and Community Affairs for a FY 2005 Economic Development Infrastructure Fund Community Development Block Grant (CDBG) for assistance under the provisions as set forth in Title I of the Housing and Community Development Act of 1974, as revised for municipal water and sanitary sewer system improvements to support economic development and job creation within its service delivery area; and,

WHEREAS, the City of Andalusia is requesting CDBG Economic Development Fund grant assistance for the purpose of providing municipal water and sanitary sewer system facilities extensions and improvements to support the creation of predominately low and moderate income jobs in Covington County through the location of a new industry, EJM Aerospace Services and the expansion of AcroHelipro at the Andalusia-Opp Airport; and

WHEREAS, the estimated cost of the proposed project is **\$1,083,000,000** and Andalusia is aware that there is a local cash matching share required of 20% of the project cost.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City of Andalusia to proceed with the solicitation of FY 2005 CDBG Economic Development Fund grant assistance for 80% or \$866,400.00, provided that, should the application requesting assistance be approved, the City of Andalusia will retain operation and maintenance responsibility associated with the proposed municipal water and sanitary sewer system facilities as it does with all municipal water and sewer system components within its service area; and,

BE IT FURTHER RESOLVED, that the City of Andalusia will commit to a local cash match of **\$216,600.00** or 20% of the project cost to be provided by the Andalusia-Opp Airport Authority on behalf of the City of Andalusia to be utilized as the local match commitment in conjunction with Andalusia's application requesting FY 2005 CDBG grant assistance. Should the local cash matching funds not materialize through the Andalusia-Opp Airport Authority; the City of Andalusia will provide said local matching funds for the project.

ADOPTED AND APPROVED on this the 16TH day of August, 2005.

(SEAL)

Jerry A. Andrews, Mayor

ATTEST:

John Thompson, City Clerk

Following Mayor Andrews' review of the resolution, Councilman Powell moved that the council approve Resolution No. 2005-25. Councilman Alexander seconded the motion which passed unanimously.

MAYOR INTRODUCES RESOLUTION TO VACATE AN UNDEVELOPED PORTION OF SOUTH RIDGE ROAD IN COUNTRY CLUB PARK RESUBDIVISION:

Mayor Andrews presented Resolution No. 2005-26 which would close an undeveloped portion of South Ridge Road between two consenting property owners.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

**A RESOLUTION TO VACATE AN UNDEVELOPED PORTION OF SOUTH RIDGE ROAD IN THE
COUNTRY CLUB PARK RESUBDIVISION OF THE CITY OF ANDALUSIA, ALABAMA**

RESOLUTION NO. 2005-26

WHEREAS, the sole owners of lands adjoined and abutting that certain portion of undeveloped street, 52.34' in width, beginning at the Southwest corner of Lot 7 of the Country Club Park Resubdivision and Addition, Section K as recorded in Plat Book 4, Page 18 in the Probate Records Office of Covington County, Alabama and run North 14 degrees 32 minutes East along the East right of way line of South Ridge Road for a distance of 97.0 feet; thence North 50 degrees 33 minutes West a distance of 55.29 feet to a point on the Right of Way line of South Ridge Road; thence South 14 degrees 32 minutes West along the West Right of Way line of South Ridge Road a distance of 135.3 feet to a point on the South Section line of Section 13, Township 4 North, range 15 East; thence Easterly along said Section line a distance of 52.34 feet to a point beginning (the said South Section line being the terminal point of South Ridge Road) desire to vacate said undeveloped street, pursuant to Section 18-4N-16E of Code of Alabama, (1975, as amended); and

WHEREAS, said undeveloped portion of South Ridge Road to be vacated is within the limits of the City of Andalusia, Alabama, and

WHEREAS, said undeveloped portion of South Ridge Road has never been opened or used by any other property owners for access, and

WHEREAS, the vacation of said undeveloped portion of South Ridge Road shall not deprive any other owner of any rights of ingress and regress.

THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that the vacation of said undeveloped portion of South Ridge Road referred to should be and the same is hereby vacated and this governing body is now assenting to the vacation of said unnamed street as described above and the owners of the property abutting said portion of South Ridge Road is hereby authorized to file and record with their declaration of vacation, a certified copy of this resolution.

BE IT FURTHER RESOLVED that the Mayor execute this resolution for and on behalf of the City of Andalusia, Alabama.

ADOPTED AND APPROVED this 16th day of August, 2005.

THE CITY OF ANDALUSIA, ALABAMA

By: _____
Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk

Following some clarification, Councilman Jones moved that Resolution No. 2005-26 be adopted. Councilman Alexander seconded the motion which passed unanimously.

MAYOR READS ORDINANCE NO. 2005-7 TO ADDRESS MATTER OF TOWN SQUARE:

Mayor Andrews reviewed current abuses of the city square and read Ordinance No. 2005-7 to address the matter.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

**ORDINANCE NO. 2005-7
RELATING TO THE TOWN SQUARE**

WHEREAS, the Town Square of the City of Andalusia, Alabama (hereinafter "the City") is the cultural, historical, and geographical center of the City; and

WHEREAS, the City has gone to great expense to beautify and maintain the Town Square for the enjoyment of its citizens and guests; and

WHEREAS, certain individuals are continually and consistently causing damage to the Town Square and its fixtures, littering the grounds, and creating loud and boisterous disturbances which at times had led to actual violence, and

WHEREAS, the City, in order to preserve good order and public safety, deems it necessary to place certain reasonable instructions on use and occupation of the Town Square.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Except as provided below, no person shall loiter on the Town Square between the hours of 12:00 Midnight and 5:00 a.m. The "Town Square" includes:
 - a. The common area in the center of the Town Square;
 - b. All adjacent and parallel parking spaces; and
 - c. The public parking area immediately behind the "Murphy Building."
2. The prohibition above applies to pedestrians as well as persons occupying parked or stationary vehicles.
3. Any person seeking an exception to the above restrictions shall apply to the Director of the Department of Leisure Services for a special-event permit exempting them from the prohibition of this ordinance.

PAGE FOUR

The applicant must take the request for such a permit ten (10) days in advance of but no more than thirty (30) days prior to the anticipated event. The Director of the Department of Leisure Services, in conjunction with the Chief of Police, shall develop criteria for evaluating requests for permits and publish the same within thirty (30) days of the enactment of this Ordinance.

4. The prohibition does not apply to police, fire, and other City employees on official business, nor does it apply to business owners with businesses on the Town Square, members of their families, or their employees, who are on the Town Square incidental to their employment.

5. Upon discovering a violation of this Ordinance, police officers shall issue one (1) verbal warning. If the violator does not immediately comply with an order to disperse and vacate, the individual shall be subject to arrest.

6. Violation of this Ordinance will be considered a Class C misdemeanor and subject to the fines and other penalties provided under Alabama law for conviction of a Class C misdemeanor.

7. Arrest and conviction for a violation of this Ordinance does not preclude arrest and conviction under any other provision(s) of Federal, State, and local law.

8. This Ordinance shall expire 180 days after enactment unless specifically extended or made permanent by the action of the City Council.

Adopted and Approved by the City Council of the City of Andalusia at a public meeting on this the 16th day of August, 2005.

Jerry Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk

The Council then discussed the specifics of the proposed ordinance at length and asked for public input.

MAYOR ASKS FOR COUNCIL APPROVAL OF A REORGANIZATION OF THE POLICE DEPARTMENT EMPLOYEE STRENGTH PLAN:

Mayor Andrews asked for council approval of a reorganization of the Andalusia Police Department's employee strength plan to reflect the addition of one Police Officer to serve as resource officer for the Andalusia Middle School, delete one position of Assistant Police Chief, and to delete four positions of part-time School Crossing Guard.

Councilman Powell moved that the council approve the police department's request for a change in its strength plan. Councilman Anderson seconded the motion which passed unanimously.

COUNCIL HEARS REPORT FROM FIRE CHIEF ETHAN DORSEY:

Mayor Andrews called on Fire Department Chief Ethan Dorsey to report on recent developments with regard to the city's ISO rating. The chief explained that the area south of Andalusia on HWY 29, outside of the corporate limits, would need to receive primary fire protection from other fire departments, in order for Andalusia to maintain its current rating. He said that he had begun contacting other departments informing them of the policy change. He further added that his department would provide limited assistance in the area when possible.

MAYOR REPORTS ON THE HOMECOMING CELEBRATION OF MISS ALABAMA ALEXA JONES:

Mayor Andrews reported that the Miss Alabama Alexa Jones Homecoming Celebration at city hall was a great success. He noted that several volunteers had helped to coordinate the event and that there were many out-of-town guests who were impressed with the event, city hall, and all of Andalusia.

PAGE FIVE

CITY CLERK JOHN THOMPSON REPORTS ON UPCOMING EVENTS THAT CITY IS INVOLVED IN:

Mayor Andrews called on City Clerk John Thompson to report on other upcoming events that the city is involved in. Thompson reported that the City of Andalusia is aiding the local Alabama National Guard Unit, whose members are preparing to depart for service in Iraq, organize a ceremony for the public at the Kiwanis Center on Monday, August 22, 2005, at 10:00 a.m. The city is also coordinating lunch for the guardsmen before their departure the next day at the armory.

Thompson also reported on the efforts of the city to honor Robert Horry on August 31, 2005, at the Andalusia High School. He added that a committee of citizens had been established to make preparations for the event and that plans were coming together well. Mayor Andrews added that he hoped that everyone would make plans to attend these important events.

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