

REGULAR WORK SESSION MEETING

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

The City Council of the City of Andalusia, Alabama, met for a work session in room 340 at city hall for the purpose of planning and finalizing the agenda for the regular meeting.

Rick Clifton, attorney for the Andalusia Industrial Development Board, spoke to the council about the IDB's efforts to bring about a development into the downtown area. He addressed concerns and answered questions about a proposed resolution relating to the project.

Paul Darnell, Project Engineer for the water-sewer project to the airport, reported on a bid opening relating to water storage tanks for the facility.

Roy Windham of the South Central Alabama Mental Health Board addressed the council about the need for additional space for the South Central Alabama Mental Health Center.

REGULAR COUNCIL MEETING

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 Anderson led the invocation and the Pledge of Allegiance to the flag.

APPROVAL OF MINUTES:

Councilman Alexander moved that the minutes from the previous special council meeting of October 14, 2005, and the regular council meeting of October 18, 2005, be approved as presented. Councilman Cotton seconded the motion, and it was approved unanimously.

COUNCIL TABLES APPOINTMENTS TO VARIOUS BOARDS TO PUBLICIZE CURRENT OPENINGS:

Mayor Andrews announced that several city board and committee appointments were due to be made. He expressed concern from the council that perhaps there was not enough publication giving interested citizens an opportunity to apply for various openings. Councilman Jones moved to table certain appointments until the November 15, 2005, council meeting. Councilman Alexander seconded the motion, which passed unanimously. Mayor Andrews directed the city clerk to publicize the current openings on city boards and committees.

COUNCIL APPOINTS NEW MEMBERS TO THE TOURISM AND RELOCATION COMMITTEE:

Mayor Andrews announced that the council had recently changed the name of the Tourism and Relocation Committee and had added three new positions to the committee. Councilman Cotton moved that Joree Jones, Thelma Thomas, and Pat Palmore, be appointed to the Tourism and Relocation Committee. Councilman Anderson seconded the motion, which passed unanimously.

COUNCIL ADOPTS RESOLUTION NO. 2005-45 TO PROVIDE FUNDING FOR HEAD START PROGRAM:

Mayor Andrews introduced Resolution No. 2005-45 relating to the Andalusia Head Start Program:

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2005-45

WHEREAS, the City Council of the City of Andalusia wishes to provide funding and other support for the Andalusia Head Start; and

WHEREAS, the Andalusia Head Start has requested that the city make certain repairs to the school, purchase kitchen equipment, and provide other in kind services; and

WHEREAS, these expenditures have been included in the FY 2006 budget for the City of Andalusia under the line item "Head Start;" and

WHEREAS, the city finds that a public purpose is being served by these expenditures; and

WHEREAS, the City of Andalusia is the rightful owner of the building the Head Start Program presently occupies.

NOW, THEREFORE, BE IT RESOLVED by the Andalusia City Council that the City of Andalusia will continue to fund the Head Start Program, purchase equipment, and make repairs to an amount not to exceed the amount previously budgeted in the FY 2006 Budget.

ADOPTED AND APPROVED by the Andalusia City Council in a public meeting on the 1st day November, 2005.

THE CITY OF ANDALUSIA, ALABAMA

By: _____
Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk

Mayor Andrews added that the Head Start Program was administered by the Southeast Alabama Regional Planning and Development Commission, and that it occupied a city building. He indicated that the building needed upgrading, particularly in its kitchen. Councilman Anderson moved that Resolution No. 2005-45 be adopted. Councilman Jones seconded the motion, which passed unanimously.

COUNCIL APPROVES UPDATE TO THE ANDALUSIA COMPREHENSIVE PLAN:

Mayor Andrews announced that it was necessary to update the Andalusia Comprehensive Plan. He added that the KPS Group, the original authors of the plan, had made suggestions regarding three specific areas needing updating to the Andalusia Planning Commission. Mayor Andrews went on to say that, the funds necessary to complete the update were in the current budget. The areas to be updated were the city's zoning ordinance and zoning map, the subdivision regulations, and the sign ordinance. Councilman Alexander moved the update be approved. Councilman Cotton seconded the motion, which passed unanimously.

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COUNCIL ADOPTS RESOLUTION NO. 2005-46 TO THE REVITALIZATION OF DOWNTOWN:

Mayor Andrews introduced Resolution No. 2005-46 relating to revitalizing the downtown Andalusia area by supporting the efforts of Pacific Equity Investments. He added that during the council's workshop session the resolution underwent various changes and asked City Attorney Tom Albritton to comment on those changes. Mr. Albritton noted the changes, which are reflected in the version below.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION REGARDING DOWNTOWN REDEVELOPMENT

RESOLUTION NO. 2005-46

WHEREAS, the Bass Agency has secured a purchaser for the First National Building in downtown Andalusia (Pacific Equity Investments, LLC- "PEI"); and

WHEREAS, PEI has asked that certain repairs and improvements be made to the downtown area; and

WHEREAS, PEI has submitted its intentions and request of the City in the attached Memorandum of Understanding dated September 15, 2005; and

WHEREAS, these repairs and improvements would serve the general public and would renovate the downtown area to provide additional parking, lighting, improve and repair sidewalks and generally improve safety in the area and would be in furtherance of downtown redevelopment and would remove and improve a blighted area in downtown Andalusia as that term is described under Redevelopment Projects, Section 24-2-1 et seq of the Code of Alabama, 1975; and

WHEREAS, the City Council of the City of Andalusia finds that these actions serve a public purpose by removing and improving a blighted area, preserving historic buildings in the downtown area, providing safe and convenient access to the area by the general public, aiding in the renovation of a building listed on the U.S. Registry of Historic Buildings, increasing development of retail activities in the downtown area with resulting increase in employment and tax revenues and generally preserving and improving downtown Andalusia.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that the City of Andalusia, in conjunction with PEI, and conditioned upon PEI's schedule of work as shown on the memorandum of understanding and further conditioned upon their stated intent to follow through with said schedule and upon PEI's being found financially able to make their planned improvements, take the following actions concerning the downtown area and that these actions be declared a redevelopment project:

Make the following public improvements to expand and enhance the Public Square area:

- Develop a new parking lot in close proximity to the FNB Project on Coffee Street.
- Street improvements to Coffee Street consistent with recent improvements made to Cotton Street.
- Reconstruct street level fire exit leading to the basement (construct stairs and railings in existing fire exits) situated on public property to be completed by May 1, 2006. PEI will indemnify and hold the City of Andalusia harmless for construction, use, and operation of fire exit, stairs, and railings.
- Abate property and other taxes and fees to the extent of Alabama law and provide or assist PEI in obtaining whatever tax incentives may be available, including historic restoration and other incentives as may be provided by the Andalusia Downtown Redevelopment Authority, Historic Society, Arts Counsel or other federal, state or local agency.
- Assist with and encourage private property owners in the development, upgrade and improvement of private property in the downtown area to every extent possible to include funding (as may be available), coordination and other assistance to provide:
 - o The restoration of the existing "Snow Drift" mural (Note: a suggested vision for the Public Square area is restoration of all historic murals

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and creation of new "nostalgic" murals on select buildings, thus adding a unique cultural and tourism element to the downtown area.).

- o Upgrade the white brick wall on the one-story Coffee Street building located directly across from the FNB Project. Suggested upgrades include: new "nostalgic" style mural painting, or removal of paint to expose historic brick.
- o Appoint a Downtown Redevelopment Authority to work with PEI and coordinate the redevelopment of the downtown area.

BE IT FURTHER RESOLVED THAT the Mayor be authorized to sign all documents to ensure the execution of the purpose and intent of this resolution and to accomplish this redevelopment project.

ADOPTED AND APPROVED this 1st day of November, 2005.

THE CITY OF ANDALUSIA, ALABAMA

By: _____
Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk

Councilman Anderson moved to adopt Resolution No. 2005-46. Councilman Cotton seconded the resolution, which was approved by all council members present with Councilman Jones abstaining.

Memorandum of Understanding
Downtown Improvements
between
The City of Andalusia
and
Pacific Equity Investments, LLC
September 15, 2005

The City of Andalusia and Pacific Equity Investments, LLC propose the following agreement in order to improve the Andalusia downtown area and provide commercial, entertainment and professional office opportunities to the citizens of Andalusia.

Pacific Equity proposes to:

Complete restoration, upgrade, and conversion of the historic First National Bank building to a contemporary "Class A" multi-use commercial project. The planned restoration will return this unique six-story building with premier views of Covington County to the commercial centerpiece of the Andalusia Public Square. The following are planned improvements to the building:

- Exterior Restoration: Substantial upgrade to the main entryway and lobby, revitalize exterior brick, repair and restore historic clock, window treatments, install exterior lighting at street and roof elevations.
- Interior Restoration: Complete upgrade and/or restoration of elevators, electrical, plumbing, fire sprinklers, heating/air conditioning, and installation of security systems and high speed internet.
- Building layout:
 - o 1st Floor : Retail space-1-2 anchor tenants
 - o 2nd Floor: Sports Lounge-multiple satellite fed flat screen TV's, pool tables, food, private side entrance.
 - o 3rd-5th Floors: Professional office suites-(approx. 1,850 sq.ft.) private bathrooms on each floor, security system, high speed internet.
 - o 6th Floor: Restaurant-open for lunch and dinner at reasonable prices, with spectacular views of Andalusia and Covington County. May include rooftop dining.
 - o Basement: Rentable public use space-(approx. 1,400 sq.ft) available for teen center, city/county meeting rooms, or clubs/organizations.
- Notes:
 - o Start Date: January 1, 2006

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- Construction: 4 months (estimate)
- Total Cost: Total project cost-approx. \$2 million
- Financing: Construction-to-permanent financing from a local financial institution.
- Building layout is subject to ongoing due diligence to determine the highest and best use of the property

The City of Andalusia proposes to:

Make the following public improvements to expand and enhance Public Square area and to provide sufficient assistance to ensure the project is economically feasible.

- Develop a new parking lot adjacent to the FNB Project on Coffee Street to be completed by June 1, 2006. A number of designated parking spaces will be allocated to the patrons for the FNB Building (amount to be determined).
- Street improvements to Coffee Street consistent with recent improvements made to Cotton Street to be completed by October 1, 2006.
- Reconstruct 2 street level fire exits leading to the basement (construct stairs and railing in existing fire exits) situated on public property to be completed by May 1, 2006.
- Abate property and other taxes and fees taxes to the extent of Alabama law and provide certain tax incentives including historic restoration and other incentives as provided by the Andalusia Downtown Revitalization Authority, Historic Society, and Arts Counsel.
- Assist with private property owners in the development, upgrade and improvement of private property in the downtown area to every extent possible to include funding, coordination and other assistance including:
 - The restoration of the existing "Snow Drift" mural (Note: a suggested vision for the Public Square area is restoration of all historic murals and creation of new "nostalgic" murals on select buildings, thus adding a unique cultural and tourism element to the downtown area.).
 - Upgrade the white brick wall on the one-story Coffee Street Building located directly across from the FNB Project. Suggested upgrades include: new "nostalgic style mural painting, or removal of paint to expose historic brick.

Jerry Andrews, Mayor
City of Andalusia
Post Office Box 429
Andalusia, Alabama 36420

Tom Forbath & Jeff McClure
Pacific Equity Investments, LLC
1158 26th Street, #353
Santa Monica, CA 90403
310-600-4208

COUNCIL ADOPTS RESOLUTION NO. 2005-47 AWARDDING CONTRACT FOR FIRE/WATER STORAGE TANKS:

Mayor Andrews announced that the city had conducted a bid opening for water storage tanks for a fire protection system in conjunction with the water/sewer CDBG project for the airport expansion. He called on Project Engineer Paul Darnell to report on the bid opening. Mr. Darnell reported that the Fisher Tank Company was the low bidder as indicated in the resolution. He further recommended the bid be accepted.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION AWARDDING BID FOR FIRE/WATER STORAGE TANKS

RESOLUTION NO. 2005-47

WHEREAS, the City of Andalusia plans to construct FIRE/WATER STORAGE TANKS in connection with CDBG Project # LR-ED-PF-05-003; and

WHEREAS, the City of Andalusia did legally advertise the bid opening date of October 31, 2005, in accordance with Alabama State Law, and on that date opened all bids in public and read them aloud; and

WHEREAS, the engineers have subsequently checked all bids received, and have recommended that the contract be awarded to the low bidder.

THEREFORE, BE IT RESOLVED that the contract for the FIRE/WATER STORAGE TANKS be awarded to the low bidder for the Bid as follows:

**FISHER TANK COMPANY
In the amount of \$458,584.00**

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ADOPTED AND APPROVED this 1ST day of November, 2005.

THE CITY OF ANDALUSIA, ALABAMA

By _____
Jerry Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk

Councilman Cotton moved to adopt Resolution No. 2005-47. Councilman Alexander seconded the motion, which passed unanimously.

COUNCILMAN JONES UPDATES THE COUNCIL ON HIS TRIP TO JAPAN AND KOREA:

Councilman Jones reported to the council that from October 14 - 22, 2005, he was a member of a delegation from the Southeast Alabama Gas District, along with representatives from the State of Alabama, on a trip to Japan. They attended the Southeast United States/Japan Association Meeting. The meeting, in Tokyo, was attended by delegations from seven southeastern states for the purpose of making contacts with Japanese businesses. Jones noted that Alabama Governor Bob Riley, Neil Wade of the Alabama Development Office, and Bill Johnson, Acting Director of the Alabama Department of Community and Economic Affairs, also attended. After Japan, the group flew to Korea where they conducted more meetings for the purpose of economic development.

ANNOUNCEMENTS:

1. Mayor Andrews announced that the LBW Foundation would hold a clay shoot on Saturday, November 5, 2005, in Crestview. He encouraged everyone to attend.

2. Mayor Andrews announced the First Annual Covington County Veteran's Day MIA/POW Parade and ceremony on Friday, November 11, 2005. The parade would start at 10:00 at the Andalusia High School and end at the Veterans Memorial Park behind the Andalusia City Hall. A ceremony would take place at the park following the parade with a reception at city hall concluding the day's events. The Mayor invited everyone to come out to honor our veterans.

3. Mayor Andrews introduced Lena Boswell, Director of the Andalusia Housing Authority. Ms. Boswell presented Mayor Andrews a check in the amount of \$6,233.20 in lieu of property taxes due to the city. The Mayor thanked Ms. Boswell and promised to put the funds to good use.

4. Councilman Jones commended city department heads and employees for a great performance with regard to Halloween on the Square. Mayor Andrews echoed those comments and singled out Duke Smith for his hard work with the event.

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

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EMPLOYEE PERSONNEL APPEAL HEARING

An employee appeal hearing was convened by the council, in room 340 at city hall, immediately following the regular council meeting, for the purpose of hearing an appeal from Mr. Arthur Joe Griggs following his termination.

Mayor Andrews called the meeting to order and gave Mr. Griggs the opportunity to respond to the disciplinary action taken against him.

After Mr. Griggs response, his supervisors Mr. Jim Hogg, Director of Public Works, and Mr. Gary Pichea, Manager of Landfill and recycling, gave a rebuttal.

Following questions from Mayor Andrews and council members, and further statements from Mr. Griggs and his counsel, Mr. Grady Lanier, Councilman Alexander moved to take the meeting into executive session. Councilman Anderson seconded the motion, which passed unanimously. The executive session began at 7:15 p.m. and lasted until 7:20 p.m.

Upon coming out of executive session, Mayor Andrews called for a decision. The council voted unanimously to affirm the decision of Mr. Griggs' supervisors and let the termination stand. He told Mr. Griggs he was sorry and wished him good luck in the future.

With no further business, Mayor Andrews adjourned the hearing.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk