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STATE OF ALABAMA
COUNTY OF COVINGTON

ANDALUSIA, ALABAMA
JANUARY 17, 2006

REGULAR WORK SESSION MEETING

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

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.

The Council heard from a group of citizens, lead by Linda Palmer, seeking to designate an historic district in Andalusia.

The Council also received input from Rick Clifton concerning a bond issue and the city's debt obligations.

REGULAR COUNCIL MEETING

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 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 Powell moved that the minutes from the previous council meeting of January 3, 2006, be approved. Councilman Jones seconded the motion, which was approved unanimously.

MAYOR ANDREWS OPENED A PUBLIC HEARING TO DISCUSS PROPOSED ORDINANCE:

Mayor Andrews opened a public hearing for the purpose of giving anyone interested an opportunity to speak concerning a proposed ordinance that would limit mini storage units to M-1 zones in Andalusia. Hearing no comments Mayor Andrews declared the public meeting closed.

COUNCIL ADOPTS ORDINANCE 2006-01 TO LIMIT MINI STORAGE UNITS TO M-1 ZONES:

Mayor Andrews presented Ordinance No. 2006-01 for the council's consideration.

CITY OF ANDALUSIA
ANDALUSIA, ALABAMA

ORDINANCE NO. 2006-1

An Ordinance Amending the Andalusia City Code to Amend the Zoning Ordinance by Adding the Definition and limiting uses permitted of Mini Storage Warehouse Units to M - 1 Light Industrial District

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BE IT ORDAINED by the Mayor and City Council of the City of Andalusia, Alabama that the following definition be added to the Zoning Ordinance under Appendix A, Section 41.0 Definitions, page 1673:

41.67a Storage Units (Storage Building, Mini Storage) One structure divided into multiple spaces, for lease or rent, for the purpose of storing goods.

BE IT FURTHER ORDAINED that the following be added to Appendix A Section 75.0 M - 1 Light Industrial District, [(a)] Uses Permitted:

13. Storage Units, for lease or rent

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 17th day of January, 2006.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk

Councilman Powell moved that Ordinance No. 2006-01 be approved. Council Alexander seconded the motion, which passed unanimously.

COUNCIL RESENDS DECISION TO AWARD BID ON FIRE STATION ADDITIONS TO SOUTHERN STRUCTURES AND AWARDS BID TO DOUBLE B CONSTRUCTION:

Mayor Andrews announced that bids were accepted at the last council meeting for an addition to the Andalusia Fire Station. However, upon further review by the city attorney, the process had been brought back to the council. City Attorney Tom Albritton affirmed the mayor's comments that the council could not apply the three percent rule, which would allow for any other than the lowest bid to be accepted. Councilman Jones moved that the council resend its earlier decision accepting a bid from Southern Structures. Councilman Alexander seconded the motion, which passed unanimously. Councilman Jones then moved that the base bid from Double B Construction, including alternates one and three, be accepted and that \$112,000 in the 2002 Capitol Improvement Fund be used to finance the project, with the balance from contingency. Councilman Alexander seconded the motion, which passed unanimously.

COUNCIL ADOPTS RESOLUTION NO. 2006-02 FOR A BOND ISSUE TO FUND INFRASTRUCTURE IMPROVEMENTS TO THE ANDALUSIA-OPP AIRPORT:

Mayor Andrews presented Resolution No. 2006-02 supporting a bond for infrastructure improvements to the Andalusia - Opp Airport.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

**A RESOLUTION APPROVING AN
AGREEMENT AMONG THE
CITY OF ANDALUSIA, ALABAMA,
ANDALUSIA-OPP AIRPORT AUTHORITY,
AND REGIONS BANK, AS TRUSTEE**

RESOLUTION NO. 2006-2

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BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF ANDALUSIA, ALABAMA, ("the "City") as follows:

1. The City has heretofore, upon evidence duly presented to and considered by it, found and determined, and does hereby find, determine and declare that:

(a) Pursuant to Article 1 of Chapter 3 of Title 4 of the Code of Alabama 1975, Andalusia-Opp Airport Authority (the "Authority") has determined to issue the following bonds (collectively the "Bonds") (i) Airport Revenue Bonds, Series 2006A and (ii) Airport Revenue Bonds, Series 2006B and to apply the proceeds of the Bonds (i) to finance capital improvements for the airport facilities of the Authority (the "Airport") (located at 21861 Bill Benton Lane off US Highway No. 84 between Andalusia and Opp) including without limitation: site development and utility access and facilities for lease to and use by EJM Aerospace Services, Inc. and ACROHELIPRO Global Services, Inc., (ii) to refinance certain indebtedness of the Authority heretofore incurred for general capital improvements to the Airport and (iii) to pay issuance expenses with respect to the Bonds.

(b) Pursuant to Covington County Section 2, of the Official Recompilation of the Constitution of Alabama of 1901, Local Amendments (formerly Amendment No. 725 to the Constitution of Alabama of 1901, as amended) ("Amendment No. 725"), the City has determined to deliver a Funding Agreement to be dated January 1, 2006 (the "Funding Agreement") to the Authority and Regions Bank, as trustee (the "Trustee"), with respect to the Bonds, which Funding Agreement will obligate the City to pay to the Trustee, for the account of the Authority in each fiscal year in which the Bonds are outstanding, an amount equal to the amount necessary to provide for the payment of the principal of and interest on the Bonds, and certain expenses related thereto, in each such fiscal year, at such time or times as shall be necessary to provide for the due and punctual payment of the Bonds and such expenses.

(c) (1) Pursuant to Amendment No. 725, notice of the consideration of the Funding Agreement, the public benefits sought to be achieved by the delivery thereof, and the corporations or other business entities to whom or for whose benefit the City proposes to lend its credit or grant public funds or thing of value, was set forth in a notice prepared by the City in form and of content as set forth on Exhibit A to this Resolution (the "Notice").

(2) The Notice was published on December 31, 2005 in The Andalusia Star News.

(d) The City seeks to achieve, by undertaking its obligations pursuant to the Funding Agreement, to promote the local economic and industrial development of Covington County and the City by providing capital improvements to and at the Airport to increase the ability of the Authority to service military and civilian fixed wing aircraft and rotary wing aircraft, to provide facilities for use by EJM Aerospace Services, Inc. and ACROHELIPRO Global Services, Inc. to increase employment at the Airport and in Covington County and in the City, and to refinance indebtedness heretofore incurred by the Authority for capital improvements at the Airport at lower interest rates to achieve interest cost savings.

(e) The expenditure of public funds for the purposes of the Bonds and the Funding Agreement will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

2. The City does hereby ratify and confirm the form and content of the Notice and the publication of the Notice as set forth in Section 1.

3. The City does hereby approve, adopt, authorize, direct, ratify and confirm the terms and provisions of, and the transactions to be undertaken pursuant to, the following documents:

(1) The Funding Agreement, in form and content as attached hereto as Exhibit B.

(2) The Continuing Disclosure Agreement, in form and content as attached hereto as Exhibit C.

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(3) All agreements, contracts, documents, instruments and notices as shall be required by the terms of, or otherwise necessary or desirable to carry out the provisions and purposes of, the Agreement.

4. The documents described in Section 1 of this resolution (herein collectively the "Documents") are approved in substantially the form and of substantially the content as the Documents presented to and considered by the City Council, with such changes or additions thereto or deletions therefrom as the officer of the City executing those of the Documents to which the City is a party signatory thereto (herein collectively the "City Documents") shall approve, which approval shall be conclusively evidenced by execution of the City Documents by such officer as hereinafter provided.

5. The Documents presented to, considered and adopted by the City Council shall be filed in the permanent records of the City.

6. The Mayor of the City is hereby authorized and directed to execute, acknowledge and deliver the City Documents for and on behalf of and in the name of the City. The City Clerk of the City is hereby authorized and directed to attest the same.

7. The officers of the City, or any one or more of them, are hereby authorized and directed to do and perform or cause to be done or performed in the name and on behalf of the City such other acts, and execute, deliver, file and record such other instruments, documents, certificates, notifications and related Documents, all as shall be required by law or necessary or desirable to carry out the provisions and purposes of this Resolution and the Documents.

8. Any prior actions taken or agreements made or documents executed by any officers of the City in connection with the Documents and the transactions herein authorized and approved are hereby ratified and confirmed.

9. This resolution shall take effect immediately and all ordinances, resolutions, orders, or parts thereof in conflict or inconsistent with any provision herein hereby are, to the extent of such conflict or inconsistency, repealed.

ADOPTED AND APPROVED this 17th day of January, 2006

THE CITY OF ANDALUSIA, ALABAMA

BY: _____

Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk

Mayor Andrews said that the bond was a partnership with Covington County, the City of Andalusia, and the City of Opp, based on the customary 50/30/20 arrangement, where each of the entities would be responsible for 50%, 30%, and 20% of the bond respectively. Councilman Cotton moved that any rules that might prevent the immediate consideration of Resolution No. 2006-02 be suspended. Councilman Anderson seconded the motion, which passed unanimously. Councilman Cotton moved that Resolution 2006-02 be adopted and that the mayor be authorized to reaffirm the agreement with the Covington County Commission and the City of Opp, whereby the county guarantees 50%, the City of Andalusia 30%, and the City of Opp 20% of the airport bond. Councilman Anderson seconded the motion, which passed unanimously.

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Find Attached Exhibit A, B & C to Resolution NO. 2006-2

MAYOR ANDREWS PRESENTS ORDINANCE NO. 2006-02 TO AMEND THE SCHEDULE OF FINES:

Mayor Andrews presented Ordinance No. 2006-02 for a first reading and called on City Attorney Tom Albritton to explain the need for an ordinance amending the city's schedule of fines. Mr. Albritton explained that the amendment was needed to streamline the work of the municipal court by placing driving without liability insurance on the schedule of fines. He added that anyone cited for a violation could settle it with the court magistrate, rather than having to appear in city court.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

ORDINANCE NO. 2006-02

**An Ordinance to Amend the Schedule of Fines
for the City of Andalusia, Alabama**

BE IT ORDAINED by the City Council of the City of Andalusia, Alabama, that Ordinance No. 1997-05, as codified in the Code of Ordinances of the City of Andalusia, Alabama, § 19-2, adopted July 1, 1997, and becoming effective August 1, 1997, outlining the Schedule of fines for minor traffic infractions; summary dispositions for the City of Andalusia be amended as follows:

Section I. It is hereby established and declared that the following minor traffic infraction and fine be added to the Schedule of Fines adopted by Ordinance No.1997-05:

Failure to provide proof of liability insurance.....\$100.00

Section II. In all other respects Ordinance No.1997-05 as codified in the Code of Ordinances, City of Andalusia, Alabama, as previously adopted and amended, shall remain in full force and effect.

Section III. This Ordinance shall become effective upon publication as required by law.

ADOPTED AND APPROVED this 17th day of January, 2006.

THE CITY OF ANDALUSIA, ALABAMA

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

ATTEST:

**XXXXXXXXXXXXXXXXXXXXXXXXXXXX
John Thompson, City Clerk**

COUNCIL ADOPTS RESOLUTION NO. 2006-1 TO COMPLY WITH REQUIREMENTS OF A COMMUNITY DEVELOPMENT BLOCK GRANT:

Mayor Andrews presented Resolution No. 2006-01 that would bring the City of Andalusia in compliance with all policies and procedures necessary to be eligible for a Community Development Block Grant.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

A RESOLUTION IMPLEMENTING POLICIES NECESSARY TO COMPLY WITH COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

RESOLUTION No. 2006-01

WHEREAS, The City of Andalusia, Alabama, has been awarded a State of Alabama FY 2005 Community Development Block Grant program (Economic Development

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Infrastructure Fund) grant (LR-ED-PF-05-003) to construct new municipal water and sewer infrastructure to assist in the development of new industrial jobs for principally low and moderate income persons under the provisions set forth in Title I of the Housing and Community Development Act of 1974; and

WHEREAS, Andalusia, Alabama recognizes that Federal and State regulations compliance will be required to be documented during the development of the FY 2005 CDBG Economic Development Infrastructure grant program. The City of Andalusia also recognizes that certain CDBG program policies are required to be adopted by the City of Andalusia to govern the CDBG grant program activities being undertaken.

THEREFORE, BE IT HEREBY RESOLVED, that this legislative body of Andalusia, Alabama, hereby authorizes the adoption of the following CDBG program policies in the development of the aforementioned Community Development Block Grant/Economic Development Infrastructure grant program.

1. Fair Housing Policy
2. Large Cities CDBG Program Grievance Policy
3. ADA Plan Grievance Policy
4. Affirmative Action Plan

ADOPTED THIS 17TH DAY OF JANUARY, 2006.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Jerry Andrews, Mayor

ATTEST:

John Thompson, City Clerk

Councilman Anderson moved that the council adopt Resolution No. 2006-01. Councilman Jones seconded the motion, which passed unanimously.

Find Attached:

Fair Housing Policy
Large Cities CDBG Program Grievance Policy
ADA Plan Grievance Policy
Affirmative Action Plan

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Councilman Anderson moved that the council adopt Resolution No. 2006-01. Councilman Jones seconded the motion, which passed unanimously.

COUNCIL ADOPTS RESOLUTION NO. 2006-03 TO APPLY FOR A BUSINESS DEVELOPMENT LOAN FROM AEC FOR A SPECULATIVE BUILDING:

Mayor Andrews presented Resolution No. 2006-03 authorizing the mayor to apply for a business development loan from Alabama Electric Cooperative for the purpose of constructing a spec building.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2006-03

**AUTHORIZATION TO APPLY FOR
AEC BUSINESS DEVELOPMENT LOAN PROGRAM**

WHEREAS, the Andalusia City Council (Council) is hereby making known its intention to apply to the Alabama Electric Cooperative, Inc. (AEC) for a Business Development Loan (BDL) for the construction of a speculative building; and

WHEREAS, the Council needs to authorize its officers to apply for the Business Development Loan of up to \$400,000, execute necessary documents, pledge matching funds of at least \$400,000, and complete any additional paperwork necessary to complete this loan; and

WHEREAS, the Council recognizes Jerry B. Andrews, or his successor, as the Mayor of the City of Andalusia and 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 HEREBY RESOLVED, that the Andalusia City Council hereby authorizes Mayor Jerry B. Andrews, or his successor, to act as the appropriate city official to apply for the \$400,000 Business Development Loan, execute any and all necessary application papers for the Business Development Loan funds, pledge matching funds of at least \$400,000 and complete whatever additional paperwork is necessary to complete this loan on behalf of the Council in dealings with Alabama Electric Cooperative, Inc.

ADOPTED AND APPROVED this 17th day of January, 2006.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk

Councilman Cotton moved that the council adopt Resolution No. 2006-03. Councilman Alexander seconded the motion. Councilman Jones commented that in his experience working in economic development with other countries that more emphasis should be placed on the design and placement of the new spec building. Hearing no further discussion, Mayor Andrews called for a vote. The council adopted Resolution No. 2006-03 unanimously.

COUNCIL APPROVES TO HELP FUND THE SURVEY FOR THE COLLEGE STREET/SIXTH AVENUE RESIDENTIAL HISTORIC DISTRICT:

Mayor Andrews announced that a group of citizens had presented a request to the council during the workshop for aid in creating a residential historic district in Andalusia. The group asked the council to help fund a survey that would place their homes, and other buildings, including the Andalusia City Hall, on a national historic register. They also asked the council to consider an ordinance, which would help to preserve the district. Councilman Powell moved

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that \$350 be appropriated from contingency to fund the survey necessary to organize the College Street/Sixth Avenue Residential Historic District. Councilman Jones seconded the motion, which passed unanimously.

COUNCIL APPROVES THE UPGRADE OF THE ANDALUSIA PUBLIC LIBRARY'S COMPUTER SYSTEM:

Mayor Andrews announced that the Karin Taylor, Director of the Andalusia Public Library had also made a presentation to the council during the workshop on behalf of the Andalusia Public Library Board. She indicated a need for the upgrade of the library's computer system by April 2006. Councilman Cotton moved to appropriate \$10,000 from contingency for the purpose of upgrading the library's technology. Councilman Powell seconded the motion, which passed unanimously.

ANNOUNCEMENTS:

1. Mayor Andrews announced that Andalusia native Alexa Jones, currently Miss Alabama, would be competing in the Miss America Pageant in Las Vegas, on January 21, 2006. He wished Miss Jones well and encouraged everyone to offer support and to watch the pageant on television.

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