

STATE OF ALABAMA
COUNTY OF COVINGTON

ANDALUSIA, ALABAMA
October 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 at 3:00 P.M. in room 340 at city hall for a work session for the purpose of reviewing the FY 2007 Budget.

The City Council of the City of Andalusia, Alabama met at 5:00 P.M. in room 340 at city hall for a work session for the purpose of planning and finalizing the agenda.

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 called the meeting to order and welcomed everyone. Councilman Anderson led the prayer and pledge.

APPROVAL OF MINUTES:

Councilman Powell moved that the minutes of the October 3, 2006, regular council meeting be approved. Councilman Jones seconded the motion which passed unanimously.

MAYOR ANDREWS ANNOUNCES THE COUNCIL IS NOT READY TO CONSIDER ORDINANCES 2006-07, 08, AND 09:

Mayor Andrews announced that the Council was not ready to consider Ordinances 2006-07, 08 and 09 and would pass on those items.

COUNCILMAN JONES MAKES \$10,500 PRESENTATION TO THE INDUSTRIAL DEVELOPMENT BOARD ON BEHALF OF THE SOUTHEAST ALABAMA GAS DISTRICT:

Mayor Andrews called on Councilman Jones to make a presentation on behalf of the Southeast Alabama Gas District. Councilman Jones presented \$10,500 to the Industrial Development Board of the City of Andalusia to support economic development. Councilman Jones also mentioned that the Southeast Alabama Gas District supports economic development through foreign recruitment. He added that these recruitment efforts led to SaeHaeSung's locating to Andalusia.

COUNCIL HEARS REPRESENTATIVES FROM ACTS OF KINDNESS REGARDING DANGERS OF SECOND HAND SMOKE:

Mayor Andrews called on Acts of Kindness representatives who spoke about the dangers of second hand smoke and presented the council with materials supporting their claims and sample ordinances making public places smoke free.

PAGE TWO

Mayor Andrews thanked the group for bringing the issue to the council's attention and for starting a dialogue about reducing public exposure to smoke. Councilman Cotton encouraged the council to take up the issue soon.

COUNCIL REJECTS BIDS FOR SURVEILLANCE SYSTEM FOR SQUARE:

Mayor Andrews presented the results from the opening of bids for a surveillance system for the square area.

**BID #10102006
Surveillance System for Court Square
October 10, 2006 at 2:00 p.m.**

	Name	Bid Amount
1.	Advance Solutions, Inc.	28,538.00
2.	Alaweb Pioneer	No Bid
3.	Hughes Sound and Security	No Bid
4.		

Successful Bidder: Advanced Solutions, Inc.

Bid Amount: \$28,538.00

Date: 10/10/2006

John M. Thompson, City Clerk

Witness

Councilman Cotton moved to reject the bid and to authorize the Mayor to negotiate for a lower price for the project and enter into a purchase agreement with the appropriate vendor. He further moved to pay for any difference in Homeland Security and Covington County proceeds from contingency. Councilman Powell seconded the motion which passed unanimously.

COUNCIL AWARDS BID FOR STREET RESURFACING:

Mayor Andrews presented the results from a bid opening for street resurfacing.

**BID RECAP
BID #09292006
Street Resurfacing
October 12, 2006 at 10:00 a.m.**

	Name	Bid Amount
1.	Bullard Excavating, Inc.	110,125.00
2.	APAC – Southeast, Inc.	130,525.00
3.		
4.		

Successful Bidder: Bullard Excavating, Inc.

Bid Amount: 110,125.00

Date: 10/12/2006

Witness

John M. Thompson, City Clerk

Councilman Jones moved to accept the lowest responsible bid from Bullard Excavating. Councilman Anderson seconded the motion which passed unanimously.

COUNCIL APPROVES REQUEST FROM THE ANDALUSIA BAND BOOSTERS FOR ASSISTANCE IN PRODUCING THE SECOND ANNUAL A-TOWN INVITATIONAL BAND FESTIVAL:

Mayor Andrews presented a request from the Andalusia Band Boosters for assistance in producing the second Annual A-Town Invitational Band Festival on October 28, 2006. Councilman Jones moved to support the Festival with a donation of \$4000 from contingency. Councilman Cotton seconded the motion. Mayor Andrews called for a vote which produced the following results:

<u>Yes:</u>	<u>No:</u>	<u>Abstained:</u>
Mayor Jerry Andrews	None	Councilman Bridges Anderson
Councilman Michael Jones		Councilman Andy Alexander
Councilman Don Cotton		

COUNCIL ADOPTS RESOLUTION NO. 2006-21:

Mayor Andrews presented Resolution No. 2006 - 21 to the council for its consideration.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2006 - 21

WHEREAS, the United States Congress appropriated \$400 million to the United States Department of Homeland Security to support the Alternative Housing Pilot Program ("Program");

WHEREAS, on September 15, 2006, the Federal Emergency Management Agency ("FEMA"), issued a guidance and application kit with respect to a method by which proposals would be selected for funding under the Program;

WHEREAS, the Program has no matching fund requirements and permits an administrative cost recovery of up to 10% of any grant for grantees;

WHEREAS, the State of Alabama is one of five Gulf Coast states permitted to apply for funds under the Program;

WHEREAS, Governor Bob Riley has designated the Alabama Department of Economic and Community Affairs ("ADECA") as the lead agency with respect to applications by the State of Alabama under the Program;

WHEREAS, ADECA has advised that it will accept proposals only from municipalities and other political subdivisions of the State of Alabama for consideration of submission to FEMA under the Program;

WHEREAS, FEMA seeks innovative solutions for housing persons who have been subject to disasters that can be produced, transported and installed in a timely manner but which will facilitate sustainable and permanent affordable housing;

WHEREAS, the City of Andalusia (the "City") was adversely affected by the hurricanes of 2005, and as a result of those hurricanes, has seen an increased need for housing as a result of population shifts;

PAGE FOUR

WHEREAS, the City has generally identified a need for additional high quality housing for persons of moderate means;

WHEREAS, the City has identified a potential technology developed by Rosebay Homes, LLC, Birmingham, Alabama ("Rosebay") which could address FEMA's desire to find alternatives to manufactured housing and travel trailers and which, at the same time, may help address more permanent housing needs in the City;

WHEREAS, Rosebay is a preconstructed home which is placed on a permanent foundation and which has either a brick or hardy plank exterior and at least a 6/12 roof pitch and otherwise complies with all building code requirements of the City; and

WHEREAS, the City is desirous of participating in the Program;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City that the Mayor be, and he hereby is, authorized to submit, on behalf of the City, a proposal to ADECA for the purposes of being included in a submission by the State of Alabama to FEMA under the Program;

RESOLVED FURTHER, that the City is authorized to request up to \$5,000,000 in funding from FEMA, plus, if designated as a Subgrantee, a share to be negotiated with ADECA of any available management cost allocations;

RESOLVED FURTHER, that the Mayor be, and he hereby is, authorized to collaborate with Rosebay in formulating the proposal to ADECA and FEMA and in selecting specific housing designs which are suitable for permanent occupancy;

RESOLVED FURTHER, it is understood that the proposal to FEMA will include funding for acquisition of appropriate lots, from the City or otherwise, on which the homes will be emplaced in the City and include provision for developers fees through which the City can procure assistance in managing the Project;

RESOLVED FURTHER, that the Mayor be, and he hereby is, authorized to develop a plan, subject to further approval of the City Council, for use or sale of the homes developed through the Program, including a selection of the characteristics of appropriate renters and/or purchasers;

RESOLVED FURTHER, that the Mayor be, and he hereby is, authorized to incur incidental expenses in connection with the application but it being understood that no funding by the City is required in connection with either the submission of the proposal to ADECA and FEMA or in connection with the implementation of any proposal which is approved to be funded by FEMA, it being understood that there is no "match" requirement with respect to the Program; and

RESOLVED FURTHER, that the Mayor be, and he hereby is, authorized to take any and all further actions and execute any and all further or other documents as he deems reasonably necessary to effect the purposes of the foregoing resolutions.

THE CITY OF ANDALUSIA, ALABAMA

By: _____
Jerry B. Andrews, Mayor

Attest: _____
John M. Thompson, City Clerk

Councilman Cotton moved to adopt Resolution 2006 - 21. Councilman Alexander seconded the motion which was approved unanimously.

COUNCIL ADOPTS RESOLUTION NO. 2006-22:

Mayor Andrews presented a petition, declaration and Resolution closing a portion of an unnamed city street.

Mayor Andrews called on Planning and Development Director Andy Wiggins to explain the closing and answer questions.

STATE OF ALABAMA }

COVINGTON COUNTY }

PETITION FOR THE CLOSING OF UNAMED PUBLIC STREET IN THE HIGHLAND PARK SUBDIVISION

WHEREAS, the owners of the land abutting that certain portion of an unnamed and undeveloped public street in the Highland Park Subdivision, Block C to the City of Andalusia, Alabama, in plat Book 2, Page 40, better described as beginning at the Northeast corner of lot 23 Block "E"; thence running Easterly for a distance of 50 feet more or less to the P.O.B.; thence Easterly for a distance of 50 feet more or less; thence Southwesterly along a radius to the South line of lot 17 Block "C"; thence Westerly along South Lot line for a distance of 100 feet more or less; thence Northerly for a distance of 100 feet more or less to P.O.B.. The owner desires to vacate said undeveloped portion of said unnamed street pursuant to Section 23-4-20 of Code of Alabama, (1975, as amended);
and

WHEREAS, said street to be vacated is within the limits of the City of Andalusia, Alabama.

NOW THEREFORE, James Michael Hardage and Daphne Hardage, do hereby respectfully petition the City Council of Andalusia, Alabama to assent to the vacation of said street and request that the said owners of the property abutting said street be authorized to file and record with their Declaration of Vacation a certified copy of a resolution to this effect.

PROPERTY OWNER
PROPERTY OWNER

James Michael Hardage
Daphne Hardage

STATE OF ALABAMA }

COVINGTON COUNTY }

I, _____, a Notary Public in and for said County in said State, hereby certify that James Michael Hardage and Daphne Hardage signed the foregoing document and acknowledged before me on this day, that being informed of the contents of the document he/she, as such with full authority executed the same voluntarily for and as the act of said property owner.

Given under my hand this _____ day of _____, 20_____.

Notary Public

STATE OF ALABAMA)

COVINGTON COUNTY)

**DECLARATION OF CLOSING OF UNAMED PUBLIC STREET IN THE HIGHLAND PARK SUBDIVISION
OF THE CITY OF ANDALUSIA**

WHEREAS, the owners of the land abutting that certain portion of an unnamed and undeveloped public street in the Highland Park Subdivision, Block C to the City of Andalusia, Alabama, in plat Book 2, Page 40, better described as beginning at the Northeast corner of lot 23 Block "E"; thence running Easterly for a distance of 50 feet more or less to the P.O.B.; thence Easterly for a distance of 50 feet more or less; thence Southwesterly along a radius to the South line of lot 17 Block "C"; thence Westerly along South Lot line for a distance of 100 feet more or less; thence Northerly for a distance of 100 feet more or less to P.O.B.. The owner desires to vacate said undeveloped portion of said unnamed road pursuant to Section 23-4-20 of Code of Alabama,(1975, as amended);

PROPERTY OWNERS

James Michael Hardage
Daphne Hardage

STATE OF ALABAMA }

COVINGTON COUNTY }

I, _____, a Notary Public in and for said County in said State, hereby certify that **James Michael Hardage and Daphne Hardage** signed the foregoing document and acknowledged before me on this day, that being informed of the contents of the document he/she, as such with full authority executed the same voluntarily for and as the act of said property owner.

Given under my hand this _____ day of _____, 20_____.

Notary Public

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

**A RESOLUTION TO VACATE AN UNDEVELOPED PORTION OF AN UNNAMED PUBLIC STREET IN THE
CITY OF ANDALUSIA**

RESOLUTION NO. 2006-22

WHEREAS, the owners of the land abutting that certain portion of an unnamed and undeveloped public street in the Highland Park Subdivision, Block C to the City of Andalusia, Alabama, in plat Book 2, Page 40, better described as beginning at the Northeast corner of lot 23 Block "E"; thence running Easterly for a distance of 50 feet more or less to the P.O.B.; thence Easterly for a distance of 50 feet more or less; thence Southwesterly along a radius to the South line of lot 17 Block "C"; thence Westerly along South Lot line for a distance of 100 feet more or less; thence Northerly for a distance of 100 feet more or less to P.O.B., desire to vacate said undeveloped portion of said unnamed street pursuant to Section 23-4-20 of the Code of Alabama,(1975, as amended);

THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that the vacation of said undeveloped portion of an unnamed public

PAGE SEVEN

street 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 an undeveloped portion of an unnamed public street are 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 17th day of October, 2006.

THE CITY OF ANDALUSIA, ALABAMA

By: _____
Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk

Mr. Wiggins explained that the property adjoining the unnamed street was of no use to the city and that it would be more beneficial to the adjoining property owner and that the city had made similar closures in the past. Councilman Alexander moved to adopt Resolution No. 2006 - 22. Councilman Anderson seconded the motion which passed unanimously.

COUNCIL TAKES NO ACTION ON UTILITY BOARD INVOICES:

Mayor Andrews said that the next item on the agenda pertained to invoices from the Utility Board and that the council had discussed the issue during the work session with the Utility Board general manager. He said that the council would take no action on the invoices at the present time.

COUNCIL APPROVES FY 2007 BUDGET:

Mayor Andrews presented the 2007 Fiscal Budget to the council for its consideration.

FY 2007 BUDGET

CITY OF ANDALUSIA FUNDS

TOTAL REVENUES AND CASH FROM ALL SOURCES	\$12,098,375
TOTAL OPERATING EXPENSES	\$10,946,285
TOTAL CAPITAL EXPENDITURES	\$ -0-

CONTINGENCIES	\$ 1,152,090
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TOTAL EXPENDITURES AND CONTINGENCIES	\$12,098,375
DIFFERENCE IN REVENUES AND EXPENDITURES	\$ -0-

SPECIAL FUNDS

TOTAL REVENUES AND CASH FROM ALL SOURCES	\$ 1,532,000
TOTAL EXPENDITURES	\$ 1,532,000
EXCESS OF REVENUES OVER EXPENDITURES	\$ -0-

Mayor Andrews added that the council had decided during the budget work session, preceding the meeting, to pay for twenty percent of family coverage of City employee's health insurance program. Councilman Anderson moved to adopt the 2007 budget with the

PAGE EIGHT

proposed amendment. Councilman Powell seconded the motion. Mayor Andrews called for a vote which produced the following results:

Yes:

Mayor Jerry Andrews
Councilman Bridges Anderson
Councilman Andy Alexander
Councilman Don Cotton
Councilman Terry Powell

No:

Councilman Michael Jones

ANNOUNCEMENTS:

1. Mayor Andrews announced that there was one opening on the Industrial Development Board of the City of Andalusia and two openings on the Andalusia Public Library Board.
2. Mayor Andrews reported about the emotional welcome home ceremony for local National Guard Troops and expressed appreciation for the sacrifice of the families involved. He added that they would be further recognized and honored at a later date.
3. Mayor Andrews reported on the opening of the new Wal-Mart Supercenter. He said that at a special pre-opening event, at the new store, the Wal-Mart Foundation donated \$25,100 to support local government and school organizations. He thanked Wal-Mart for their community support and wished them well at the new location.
4. Mayor Andrews called on Leisure Services Director Dwight Mikel to tell everyone about Halloween on the Square. Mr. Mikel said that the traditional Halloween festivities would begin at 5:30 on the evening of October 31st.

ADJOURNMENT:

With no further business Mayor Andrews adjourned the meeting.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk