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**STATE OF ALABAMA
COUNTY OF COVINGTON**

**ANDALUSIA, ALABAMA
JUNE 17, 2008**

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 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
Terry Powell, Councilman
Tom Albritton, City Attorney

ABSENT:

Don Cotton, Councilman

Mayor Andrews called the meeting to order and welcomed all. Councilman Alexander led the prayer and Pledge of Allegiance to the flag.

APPROVAL OF MINUTES:

Mayor Andrews presented the minutes from the June 3, 2008, regular meeting to the council for its consideration. Councilman Powell moved to approve the minutes. Councilman Jones seconded the motion which passed unanimously.

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COUNCIL APPROVES CONTRACT WITH MUNICIPAL SOFTWARE GROUP, LLC.

Mayor Andrews presented a contract with Municipal Software for software upgrades for the municipal court. Councilman Powell moved to authorize the mayor to sign the contract. Councilman Alexander seconded the motion which passed unanimously.

COUNCIL AUTHORIZES MAYOR TO SIGN GRANT AGREEMENT WITH FEDERAL AVIATION ADMINISTRATION:

Mayor Andrews presented a grant agreement with the Federal Aviation Administration for a runway extension at the South Alabama Regional Airport. Councilman Jones moved to authorize the mayor to sign the agreement and asked that the mayor write a letter to the Airport Authority indicating that the City of Andalusia understands that this agreement comes with no monetary commitment. Councilman Alexander seconded the motion which passed unanimously.

COUNCIL APPROVES PAYMENT OF UTILITY BOARD INVOICES FOR MAY STREETLIGHT REPAIR:

Mayor Andrews presented invoices for streetlight repair for May from the Utility Board. Councilman Anderson moved to approve the invoices. Councilman Alexander seconded the motion. Mayor Andrews called for a vote which produced the following results:

Yes:	No:
Councilman Anderson	Mayor Andrews
Councilman Jones	
Councilman Alexander	
Councilman Powell	

COUNCIL APPROVES FIRE DEPARTMENT EQUIPMENT REQUEST:

Mayor Andrews presented a request from the Fire Department for additional equipment. Councilman Jones moved to appropriate \$5,565.68 from contingency to purchase the equipment. Councilman Powell seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2008 – 14, ESTABLISHING A MORATORIUM ON HOUSE MOVING:

Mayor Andrews presented Resolution 2008 – 14, establishing a moratorium on house moving in Andalusia.

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**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

**A RESOLUTION TO SET A TEMPORARY MORATORIUM ON MOVING
HOUSES WITHIN THE CITY OF ANDALUSIA**

RESOLUTION NO. 2008-14

WHEREAS, the City Council of the City of Andalusia has previously adopted a Zoning Ordinance designed to promote the health and general welfare of the citizens of the City of Andalusia; and

WHEREAS, it is necessary for the Planning Commission of the City of Andalusia to advise the council on matters of zoning and related issues; and

WHEREAS, the Planning Commission is considering regulations on moving houses into residential areas of the City of Andalusia;

THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that there is hereby declared a moratorium on the issuance of permits for the moving of structures, including houses, within or into the city limits of the City of Andalusia

BE IT FURTHER RESOLVED that said moratorium shall last for six months from the date of adoption and that it serves to promote the health and general welfare of the citizens of the City of Andalusia.

ADOPTED AND APPROVED this 17th day of June, 2008.

THE CITY OF ANDALUSIA, ALABAMA

By: /s/ Jerry B. Andrews
Jerry B. Andrews, Mayor

ATTEST:

/s/ John M. Thompson
John M. Thompson, City Clerk – Treasurer

Councilman Powell moved to approve Resolution 2008 – 14. Councilman Alexander seconded the motion which passed unanimously.

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COUNCIL APPROVES RESOLUTION NO. 2008 – 15, DECLARING VEHICLES SURPLUS:

Mayor Andrews presented Resolution No. 2008 – 15, declaring city vehicles surplus.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

A RESOLUTION DECLARING CITY VEHICLE SURPLUS

RESOLUTION 2008 - 15

WHEREAS, the City of Andalusia, Alabama has inventoried its equipment/vehicles and found the following vehicle to be unneeded for public municipal purposes:

1991 Ford Aerostar Van Unit #B011	VIN: 1FMCA11UXMZA76792
2001 Chevrolet Impala Unit #A014	VIN: 2G1WF55K419371632
1997 1Chevrolet Blazer LS Unit #EX01	VIN: 1GNDDT13WXVK181514

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Andalusia, Alabama, that said equipment listed above is no longer needed for public municipal purposes, and that the Mayor and City Clerk are hereby authorized to sell or otherwise dispose of said surplus property.

ADOPTED AND APPROVED this 17th day of June, 2008.

THE CITY OF ANDALUSIA, ALABAMA

By: /s/ Jerry B. Andrews
Jerry B. Andrews, Mayor

ATTEST:

/s/ John M. Thompson
John M. Thompson, City Clerk – Treasurer

Councilman Anderson moved to approve Resolution 2008 – 15. Councilman Alexander seconded the motion which passed unanimously.

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COUNCIL APPROVES RESOLUTION NO. 2008 – 16, APPROVING AN ALLOWABLE EXCEPTION IN THE ZONING ORDINANCE:

Mayor Andrews presented Resolution No. 2008 – 16, approving an allowable exception in the Zoning Ordinance.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2008 – 16

**A RESOLUTION APPROVING AN ALLOWABLE EXCEPTION FOR THE
CONDITIONAL USE FOR A VEHICLE SALES BUSINESSES IN AN M – 1 ZONE**

WHEREAS, the Planning Commission of the City of Andalusia has approved an allowable exception for the conditional use, for a vehicle sales business, in the M – 1 Zone at 1000 River Falls Street; and

WHEREAS, Zoning Ordinance of the City of Andalusia provides for such exceptions;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Andalusia concurs with the Planning Commission and also approves the allowable exception for the conditional use, for a vehicle sales business, in the M – 1 Zone at 1000 River Falls Street.

ADOPTED AND APPROVED this 17th day of June, 2008.

THE CITY OF ANDALUSIA, ALABAMA

**BY: /s/ Jerry B. Andrews .
Jerry B. Andrews, Mayor**

ATTEST:

**/s/ John Thompson
John Thompson, City Clerk – Treasurer**

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Councilman Alexander moved to approve Resolution No. 2008 – 16. Councilman Powell seconded the motion which passed unanimously.

COUNCIL APPROVES ORDINANCE NO. 2008 – 05, DESIGNATING ELECTRONIC VOTE TABULATING AND HADICAP ASSISTANCE EQUIPMENT:

Mayor Andrews introduced Ordinance No. 2008 – 05, designating electronic vote tabulating and handicap assistance equipment for the City of Andalusia.

ORDINANCE NO. 2008 – 05

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

**AN ORDINANCE ESTABLISHING THE USE OF
ELECTRONIC VOTE COUNTING DEVICES**

BE IT ORDAINED BY THE CITY COUNCIL OF ANDALUSIA, ALABAMA,
AS FOLLOWS:

WHEREAS, Chapter 7 of Title 17 of the Alabama Code of 1975, and the regulations adopted pursuant thereto by the Alabama Electronic Voting Committee, provide for the use of Electronic Vote Counting Systems; and

WHEREAS, Section 17-7-21 of the Code of Alabama 1975 provides that a municipality may, in its discretion, by adoption of an appropriate resolution, authorize, adopt, and direct the use of electronic vote counting systems for use in all elections held in such municipality;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia that for all elections held subsequent to the passage of this resolution, the use of the Optech III Eagle Electronic Vote Counting System and the Auto Mark Handicap Ballot Marking Machine, electronic voting devices, systems which comply with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all election results.

BE IT FURTHER RESOLVED, that the Mayor of the City Andalusia of is hereby directed to file a copy of this resolution with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975.

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ADOPTED THIS THE 17th DAY OF June, 2008.

/s/ Jerry B. Andrews
Jerry B. Andrews, Mayor

ATTEST:
/s/ John M. Thompson
John M. Thompson, City Clerk – Treasurer

Councilman Jones moved to suspend the rules so that the council could immediately consider the ordinance. Councilman Anderson seconded the motion which passed unanimously. Councilman Jones moved to adopt Ordinance No. 2008 – 05. Councilman Anderson seconded the motion which passed unanimously.

COUNCIL APPROVES ENDORSEMENT FOR PURSUIT OF THE 2011 BABE RUTH WORLD SERIES BY THE DEPARTMENT OF LEISURE SERVICES:

Mayor Andrews asked the council to endorse the Department of Leisure Services' pursuit of the 2011 Babe Ruth World Series. Councilman Alexander moved to approve the endorsement. Councilman Powell seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2008 – 18, AFFIRMING THE PREVIOUS TRANSFER OF REAL PROPERTY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF ANDALUSIA:

Mayor Andrews presented Resolution No. 2008 – 18, affirming the previous transfer of real property to the Industrial Development Board of the City of Andalusia.

RESOLUTION NO. 2008 - 18

**A RESOLUTION RATIFYING THE CONVEYANCE
OF REAL PROPERTY
FROM THE CITY OF ANDALUSIA, ALABAMA
TO**

THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF ANDALUSIA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA, ALABAMA (the "Council"), AS GOVERNING BODY OF THE CITY OF ANDALUSIA, ALABAMA (the "Municipality"), as follows:

Section 1. The Council, upon evidence duly presented to and considered by it, has found and determined, and does hereby find, determine and declare as follows:

- (a) Pursuant to the applicable laws of the State of Alabama, the Municipality has heretofore prepared, executed and delivered that certain Deed, dated the date of delivery (the "Deed"), conveying the real property at 264 Progress Drive, within the corporate limits of the Municipality and further described in the Deed (the "Project Site"), to the Industrial Development Board of the City of Andalusia (the "Board").

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(b) Pursuant to that certain Lease Agreement, dated as of June 1, 2008 (the "Lease"), by the Board and Triple H Specialty Company, Inc., a Georgia corporation ("Triple H"), the Board will lease the Project Site to Triple H for use in the manufacturing, processing, assembling, storing and distribution of conveyor belts and related products. Following the full payment of the Indebtedness (as that term is defined in the Financing Agreement, dated as of June 1, 2008, by the Board and Wachovia Bank, N.A. (the "Financing Agreement")) owed by Triple H to the Board, Triple H will have the option to purchase the Project Site for ten dollars.

(c) The Municipality is authorized under the Official Recompilation of the Constitution of Alabama of 1901, Local Amendments, Covington County § 2 ("Section 2"), to lease, sell, exchange, give and convey real property to any person, firm, association, corporation or entity, public or private, including, but not limited to, a duly authorized industrial development

board in order to promote the local industrial and commercial development of the Municipality. In carrying out the purposes of Section 2, the Municipality shall not be subject to Section 94 of the Official Recompilation of the Constitution of Alabama of 1901.

(d) The conveyance of the Project Site to the Board for lease to and use by Triple H, and the option granted to Triple H to subsequently purchase the Project Site, will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

(e) On June 10, 2008, the Municipality caused to be published in The Andalusia Star-News, which newspaper has the largest circulation in the Municipality, the notice required by Section 2, a true and correct copy of which notice is set forth as follows:

ADOPTED AND APPROVED this the 17th day of June, 2008.

THE CITY OF ANDALUSIA, ALABAMA

BY: /s/ Jerry B. Andrews
Jerry B. Andrews, Mayor

ATTEST:

/s/ John M. Thompson
John M. Thompson, City Clerk – Treasurer

Councilman Powell moved to approve Resolution 2008 – 18. Councilman Anderson seconded the motion which passed unanimously.

COUNCIL APPROVES HR2008-007, GRANTING AN EMPLOYEE OVERLAP IN THE FIRE DEPARTMENT:

Mayor Andrews presented HR2008-007, granting an employee overlap in the Fire Department. Councilman Jones moved to approve the overlap. Councilman Powell seconded the motion which passed unanimously.

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COUNCIL APPROVES RESOLUTION 2008 – 17, AUTHORIZING MAYOR TO SIGN COPS GRANT DOCUMENTS:

Mayor Andrews presented Resolution 2008 – 17, authorizing the mayor to sign documents for a U. S. Department of Justice Office of Community Oriented Policing Services (COPS) Grant for \$233,825 to fight methamphetamines.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN DOCUMENTS FOR
COPS GRANT**

RESOLUTION 2008 – 17

WHEREAS, the City of Andalusia, Alabama, is hereby making known its intention to apply to the U.S. Department of Justice Office of Community Oriented Policing Services (COPS) for a FY 2008 Methamphetamine Initiative grant program in accordance with the Consolidated Appropriations Act, 2008 (P.L. 110-161); and

WHEREAS, this legislative body of the City of Andalusia, Alabama recognizes Jerry R. Andrews, Mayor, as the appropriate City official authorized to act on behalf of the City in such dealings; and

WHEREAS, this body acknowledges that the Mayor's signature shall be binding upon the City of Andalusia, Alabama in such matters; and,

WHEREAS, the City of Andalusia understands that the total estimated cost associated with the purchase of equipment to assist the Covington County Drug Task Force with their mission to eradicate the use, sale, manufacturing and transportation of methamphetamines within Covington County is **\$233,825.00**, therefore,

BE IT HEREBY RESOLVED, by the City of Andalusia, that the city approves the submission of the FY 2008 COPS: Methamphetamine Initiative grant program application requesting **\$233,825.00** in federal grant assistance; and that this legislative body of the City of Andalusia, Alabama, hereby authorizes Jerry R. Andrews, Mayor of the City of Andalusia, Alabama, to act as the appropriate City Official on behalf of the City of Andalusia, Alabama, in dealings with the U.S. Department of Justice and to sign any and all necessary application papers for the FY 2008 COPS application as well as any necessary contracts and other agreements relative to the implementation of the proposed project should funding approval be secured by City of Andalusia, Alabama.

BE IT FURTHER HEREBY RESOLVED by City of Andalusia, Alabama, that no matching funds are required in order to obtain the proposed grant funds being requested.

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This resolution is hereby passed and approved by the City of Andalusia Commission in official session on this the 17th day of June, 2008.

THE CITY OF ANDALUSIA, ALABAMA

(SEAL)

/s/ Jerry B. Andrews
Jerry B. Andrews, Mayor

/s/ John Thompson
John Thompson, City Clerk – Treasurer

Councilman Powell moved to approve Resolution No. 2008 – 17. Councilman Jones seconded the motion which passed unanimously.

ANNOUNCEMENTS:

1. Mayor Andrews announced that there were two openings on the Community Enhancement Committee.
2. Mayor Andrews announced that it was time to review the City of Andalusia's Pay Plan and make a recommendation to the council with a regard to an employee cost of living adjustment. He asked Councilmen Powel and Alexander to serve on a committee to conduct this review.
3. Councilman Jones announced that a District Two Meeting would be held in the auditorium at City Hall at 6:00 in the evening on July 8, 2008.

ADJOURNMENT:

There being no further business Mayor Andrews called the meeting adjourned.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Jerry B. Andrews, Mayor

ATTEST:

John M. Thompson, City Clerk/Treasurer