

PAGE ONE

STATE OF ALABAMA
COUNTY OF COVINGTON

ANDALUSIA CITY HALL
ANDALUSIA, ALABAMA
MARCH 3, 2009

REGULAR WORK SESSION MEETING

PRESENT:

Earl V. Johnson, Mayor
Will Sconiers, Councilmember
Kenneth C. Mount, Councilmember
Hazel Griffin, Councilmember
Jason Jewell, Councilmember
Terry Powell, Councilmember
Mark Christensen, City Attorney

ABSENT:

None

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

REGULAR COUNCIL MEETING

PRESENT:

Earl V. Johnson, Mayor
Will Sconiers, Councilmember
Kenneth C. Mount, Councilmember
Hazel Griffin, Councilmember
Jason Jewell, Councilmember
Terry Powell, Councilmember
Mark Christensen, City Attorney

ABSENT:

None

Mayor Johnson called the meeting to order and welcomed all. Councilmember Griffin led the prayer and Pledge of Allegiance to the flag.

APPROVAL OF MINUTES:

Mayor Johnson presented the minutes from the February 17, 2009, regular meeting. Councilmember Powell moved to approve the minutes. Councilmember Griffin seconded the motion which passed unanimously.

PAGE TWO

MAYOR PRESENTS ORDINANCE 2009 – 01, REGULATING NOISE IN THE CITY OF ANDALUSIA, TO COUNCIL FOR FIRST READING:

Mayor Johnson presented Ordinance No. 2009 – 01, regulating noise in the City of Andalusia for a first reading.

**THE CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

ORDINANCE NO. 2009 - 01

**AN ORDINANCE REGULATING NOISE WITHIN THE CITY OF
ANDALUSIA**

WHEREAS, the City Council of the City of Andalusia, Alabama desires to protect, preserve and promote the health, safety, welfare, peace, quiet and repose for the citizens of Andalusia through the reduction, control and prevention of excessive and unreasonable noise; and,

WHEREAS, the City Council of the City of Andalusia, Alabama wishes to establish standards that will eliminate and reduce unnecessary and excessive noises which are detrimental to individuals and the community in the enjoyment of life, property and the conduct of business and private affairs;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ANDALUSIA, ALABAMA AS FOLLOWS:

SECTION I. ILLEGAL NOISES-LOUD, DISTURBING OR UNNECESSARY, PROHIBITED.

A. No person shall make, continue or cause to be made or continued any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others in the City. It shall also be unlawful and a nuisance for any person to make or permit to be made any such noise by any motor vehicle in his control or upon any premises owned or possessed by him or under his management or control.

B. The following acts, and the causing thereof, are declared to be in violation of this section, but such enumeration shall not be deemed to be exclusive:

1) Compression Release Engine Brakes

The operation of compression release engine brakes, commonly known as “Jake Brakes.”

PAGE THREE

2) Exhausts

The discharge into the open air of the exhaust of any internal combustion engine of any motor vehicle except through a muffler in good working order and in constant operation. The sound therefrom shall not be such that it is plainly audible outside a radius of fifty (50) feet of said motor vehicle.

3) Unreasonable sound amplification from a vehicle

The operation or permitting of the operation of any sound amplification system in any motor vehicle which is plainly audible outside a radius of twenty-five (25) feet from said vehicle, unless that system is being operated to request assistance or warn of a hazardous situation.

SECTION II. PENALTY.

A. Any person found guilty of violating any provision of this Ordinance shall be given a written warning for the first offence. Any subsequent offence shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or by imprisonment for a period not exceeding six (6) months, or both, in the discretion of the Municipal Judge.

B. Each violation shall be a separate offense.

SECTION III. REPEALER

All other City Ordinances or parts thereof in conflict with the provision of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION IV. SEVERABILITY

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of the Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof separately and independently of each other.

SECTION V. EFFECTIVE DATE

This Ordinance shall become effective and be in force from and after the date of its approval and adoption by the City Council of Andalusia and publication as required by law.

PAGE FOUR

ADOPTED AND APPROVED this _____ day of _____, 2009.

THE CITY OF ANDALUSIA, ALABAMA

Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk – Treasurer

COUNCIL APPROVES PROPOSAL TO RESEAL AND STRIPE THE ASPHALT IN THE PARKING LOT AT CITY HALL, WALKING TRAIL AT THE VETERAN’S MEMORIAL PARK AND THE SQUARE:

Mayor Johnson presented a proposal from Public Works Director, Jim Hogg, to reseal and stripe the asphalt in the parking lot at city hall, walking trail at the Veteran’s Memorial Park and the square. Councilmember Jewell moved to appropriate \$7,000 from contingency to complete the project. Councilmember Powell seconded the motion which passed unanimously.

COUNCIL ELECTS VOTING DELEGATE AND ALTERNATES FOR THE ANNUAL ALABAMA LEAGUE OF MUNICIPALITIES BUSINESS MEETING:

Mayor Johnson asked for nominations for Voting Delegate, First Alternate Voting Delegate and Second Alternate Voting Delegate for the Annual League of Municipalities Convention. Councilmember Mount nominated Mayor Johnson to be the voting delegate, Councilmember Powell, first alternate and Councilmember Griffin, second alternate. Councilmember Sconiers seconded the nominations which were approved unanimously.

COUNCIL APPROVES HR2009-003, AMENDING PERSONNEL POLICIES AND PROCEDURES, PERFORMANCE PAY:

Mayor Johnson presented HR2009-003, amending Personnel Policies and Procedures to include guidelines for performance pay. Councilmember Powell moved to approve HR2009-003. Councilmember Mount seconded the motion which passed unanimously.

PAGE FIVE

COUNCIL APPROVES HR2009-004, AMENDING PERSONNEL POLICIES AND PROCEDURES, SAFETY BONUS:

Mayor Johnson presented HR2009-004, amending Personnel Policies and Procedures, Safety Pay and No Fault Clause. Councilmember Sconiers moved to approve HR2009-004. Councilmember Powell seconded the motion which passed unanimously.

COUNCIL APPROVES HR2009-005, AMENDING ADMINISTRATIVE POLICY NO. 4, UNIFORMS:

Mayor Johnson presented HR2009-005, amending Administrative Policy No. Four, Uniforms, to include safety boots for Planning and Development personnel. Councilmember Griffin moved to approve HR2009-005. Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVES HR2009-006, AMENDING EMPLOYEE STRENGTH PLAN, PLANNING AND DEVELOPMENT DEPARTMENT:

Mayor Johnson presented HR2009-006, amending the Planning and Development Department employee strength plan. Councilmember Mount moved to approve HR2009-006. Councilmember Powell seconded the motion which passed unanimously.

COUNCIL APPROVES HR2009-007, AMENDING EMPLOYEE STRENGTH PLAN, PUBLIC WORKS DEPARTMENT:

Mayor Johnson presented HR2009-007, amending the Public Works Department employee strength plan. Councilmember Mount moved to approve HR2009-007. Councilmember Griffin seconded the motion which passed unanimously.

COUNCIL APPROVES RESCHEDULING TWO FUTURE COUNCIL MEETING DATES:

Mayor Johnson asked the council to consider moving two future meeting dates. Councilmember Powell made a motion to move the March 17, 2009 meeting to March 24, 2009, and the June 2, 2009, meeting to June 1, 2009. Councilmember Jewell seconded the motion which passed unanimously.

ANNOUNCEMENTS:

1. Mayor Johnson announced that there were openings on the Planning Commission, the Board of Zoning Adjustments and the Housing Authority.
2. Councilmember Mount announced that there would be a cleanup campaign leading up to the Homecoming 2010 celebration and encouraged everyone to get involved.

PAGE SIX

With no further business Mayor Johnson called the meeting adjourned.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk - Treasurer