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**STATE OF ALABAMA  
COUNTY OF COVINGTON**

**ANDALUSIA CITY HALL  
ANDALUSIA, ALABAMA  
MARCH 24, 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. Lt. Paul Dean, Tonita Sauls, Susan Short and Tim Ramsden talked to the council about Police Department Equipment, the Covington Region Honor Flight, the Children's Policy Council's Girl's Career Conference and the River Falls Street Project.

**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 Jewell led the prayer and Pledge of Allegiance to the flag.

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**APPROVAL OF MINUTES:**

Mayor Johnson presented the minutes from the March 3, 2009, regular meeting. Councilmember Powell moved to approve the minutes. Councilmember Sconiers seconded the motion which passed unanimously.

**COUNCIL APPROVES ORDINANCE 2009 – 01, REGULATING NOISE IN THE CITY OF ANDALUSIA:**

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

**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 Council 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

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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.”

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.

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**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.

**ADOPTED AND APPROVED** this 24<sup>th</sup> day of March.

**THE CITY OF ANDALUSIA, ALABAMA**

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**Earl V. Johnson, Mayor**

**ATTEST:**

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**John M. Thompson, City Clerk – Treasurer**

Councilmember Jewell moved to approve Ordinance No. 2009 – 01.  
Councilmember Mount seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2009 - 04, ESTABLISHING PRICES FOR CEMETERY LOTS;**

Mayor Johnson presented Resolution No. 2009 – 04, establishing prices for cemetery lots.

**RESOLUTION NO. 2009 – 04**

**A RESOLUTION ESTABLISHING PRICES FOR CEMETERY LOTS IN ANDALUSIA**

**WHEREAS**, Resolution No. 1987 – 12 and Resolution No. 1988 – 22, established cemetery lot prices sold by the City of Andalusia to be \$150 for lots in Memorial Cemetery and \$75 in Marshall Cemetery,

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**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Andalusia, Alabama that:

on March 24, 2009, cemetery lot prices will be \$300 in Memorial Cemetery and \$225 in Marshall Cemetery,

on October 1, 2009, cemetery lot prices will be \$450 in Memorial Cemetery and \$375 in Marshall Cemetery,

on October 1, 2010, cemetery lot prices will be \$600 in Memorial Cemetery and \$550 in Marshall Cemetery,

on October 1, 2011, cemetery lot prices will be \$750 in Memorial Cemetery and \$725 in Marshall Cemetery,

on October 1, 2012, cemetery lot prices will be \$900 in Memorial Cemetery and \$900 Marshall Cemetery.

**BE IT FURTHER RESOLVED** that on October 1, 2013, and each year thereafter, a review of cemetery lot prices shall be conducted by the City Council.

**ADOPTED AND APPROVED** this 24<sup>th</sup> day of March, 2009.

**THE CITY OF ANDALUSIA, ALABAMA**

**By:** \_\_\_\_\_  
**Earl V. Johnson, Mayor**

**ATTEST:**

\_\_\_\_\_  
**John M. Thompson, City Clerk – Treasurer**

Councilmember Sconiers moved to approve Resolution No. 2009 – 04.  
Councilmember Griffin seconded the motion which passed unanimously.

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**COUNCIL APPROVES ORDINANCE NO. 2009 – 02, ESTABLISHING CERTAIN BENEFITS FOR ELECTED OFFICIALS:**

Mayor Johnson presented Ordinance No. 2009 – 02, establishing certain benefits for elected officials.

**THE CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**ORDINANCE NO. 2009 - 02**

**AN ORDINANCE AMENDING THE BENEFITS OF ELECTED OFFICIALS OF THE CITY OF ANDALUSIA**

**BE IT ORDAINED** by the City Council of the City of Andalusia, Alabama, as follows:

**SECTION I.** That Section III of Ordinance 2007 – 04 is hereby amended to read as follows:

That the elected officials may participate in the group life insurance program at their discretion. However, they must reimburse the City of Andalusia for premiums. Such reimbursement may be paid monthly in advance or be deducted from their salary through payroll deductions.

**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.

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**ADOPTED AND APPROVED** this 24<sup>th</sup> day of March, 2009.

**THE CITY OF ANDALUSIA, ALABAMA**

**ATTEST:**

\_\_\_\_\_  
**Earl V. Johnson, Mayor**

\_\_\_\_\_  
**John M. Thompson, City Clerk – Treasurer**

Councilmember Powell moved to suspend the rules so that Ordinance No. 2009 – 02 could be considered immediately. Councilmember Sconiers seconded the motion which passed unanimously. Councilmember Powell moved to approve Ordinance No. 2009 – 02. Councilmember Sconiers seconded the motion which passed unanimously.

**COUNCIL APPROVES REQUEST FROM FT. RUCKER TO PARTICIPATE IN FT. RUCKER APPRECIATION DAY:**

Mayor Johnson presented a request from Ft. Rucker for the City of Andalusia to participate in Ft. Rucker Appreciation Day. Councilmember Powell moved to appropriate \$500 from contingency for Ft. Rucker Appreciation Day. Councilmember Mount seconded the motion which passed unanimously.

**COUNCIL APPROVES POLICE DEPARTMENT REQUEST FOR NEW VEHICLES**

Mayor Johnson presented a request from the Police Department for new vehicles. Councilmember Griffin moved to appropriate \$64,800 from contingency to purchase three new police cars. Councilmember Jewell seconded the motion which passed unanimously.

**COUNCIL APPROVES POLICE DEPRATMENT REQUEST FOR ADDITIONAL EQUIPMENT:**

Mayor Johnson presented a request from the Police Department for additional equipment. Councilmember Mount moved to appropriate \$11,500 from contingency to purchase additional equipment. Councilmember Jewell seconded the motion which passed unanimously.

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**ANNOUNCEMENTS:**

1. Mayor Johnson announced two openings on the Southeast Alabama Mental Health Board and three Openings on the Tourism and Relocation Committee.
2. Mayor Johnson called on Tonita Sauls to make a presentation to the council about the Covington Region Honor Flight.

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**