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**STATE OF ALABAMA
COUNTY OF COVINGTON**

**ANDALUSIA CITY HALL
ANDALUSIA, ALABAMA
FEBRUARY 21, 2012**

The City Council of the City of Andalusia, Alabama, did not conduct a work session before this meeting.

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 Powell led the prayer and Pledge of Allegiance to the flag.

APPROVAL OF MINUTES:

Mayor Johnson presented the minutes from the February 7, 2012, regular meeting. Councilmember Griffin moved to approve the minutes. Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVES ORDINANCE NO. 2012 – 01, REZONING PROPERTY ON SOUTH THREE NOTCH STREET:

Mayor Johnson presented Ordinance No. 2012 – 01.

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**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

ORDINANCE NO. 2012 - 01

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

Section I. That the Zoning Ordinance of the City of Andalusia, Alabama, as adopted on November 2, 2007, be and the same hereby is amended as follows:

The following described lots or parcels of land presently zoned **R-1** is hereby reclassified and rezoned as **MED** property as that classification is described and fixed in the existing Zoning Ordinance of the City of Andalusia, Alabama, on file in the office of the City Clerk of Andalusia:

Parcel #1: The following described property being all that portion of real property devised to Scott Fuqua O'Neal, Frank Calvin O'Neal, Sr. and Frank Calvin O'Neal, Jr. in Paragraph B, Page 2 of the Last Will and Testament of Naomi Williams Fuqua, PC-2000-260. Said property being better described by survey of Jon J. Bush dated April 4, 2003 as follows: Commencing at the Northeast Corner of the Southwest Quarter of the Southwest Quarter of Section 19, Township 4 North, Range 16 East and run thence South 49 degrees 29 minutes 00 seconds West for a distance of 954.40 feet to the point of beginning; thence North 01 degrees 29 minutes 27 seconds West for a distance of 596.33 feet to a point; thence South 86 degrees 56 minutes 42 seconds West for a distance of 161.37 feet to a point; thence North 33 degrees 51 minutes 55 seconds West for a distance of 213.18 feet to a point on the South right of way of South Three Notch Street; thence along said South right of way South 49 degrees 57 minutes 35 seconds West for a distance of 50.94 feet to the intersection of said South right of way of South Three Notch Street and the East right of way of Fuqua Court; thence along said East right of way South 35 degrees 55 minutes 25 seconds East for a distance of 22.60 feet to a point; thence continue along said right of way and a curve to the right a chord bearing of South 32 degrees 37 minutes 15 seconds East for a chord distance of 149.65 feet; thence continue along said right of way South 29 degrees 19 minutes 00 seconds East for a distance of 151.15 feet to a point; thence continue along said right of way and a curve to the right a chord bearing South 15 degrees 30 minutes 48 seconds East for a chord distance of 130.50 feet to a point; thence continue along said right of way South 02 degrees 23 minutes 45 seconds East for a distance of 151.30 feet to a point; thence continue along

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said right of way and cul-de-sac (40' Radius) a chord bearing South 16 degrees 56 minutes 47 seconds West for a chord distance of 75.50 feet to a point; thence South 02 degrees 23 minutes 45 seconds East for a distance of 111.70 feet to a point; thence North 88 degrees 00 minutes 30 seconds East for a distance of 84.62 feet to a point; thence North 88 degrees 02 minutes 20 seconds East for a distance of 58.08 feet to the point of beginning. Said parcel lying in and being a part of the Southwest Quarter of the Southwest Quarter of Section 19, Township 4 North, Range 16 East, and containing 2.19 acres, more or less.

Also, an undivided ½ interest in that certain real property described in Paragraph B, Page 2 of the Last Will and Testament of Naomi Williams Fuqua, PC-2000-260, as "the driveway or street and turn around circle shown thereon being common property for the use and benefit of all of the owners of said homeplace and numbered lots." Said driveway or street and turn around circle being better described by survey of Jon J. Bush dated April 4, 2003 as follows: Commencing at the Northeast Corner of the Southwest Quarter of the Southwest Quarter of Section 19, Township 4 North, Range 16 East and run thence North 84 degrees 53 minutes 08 seconds West for a distance of 1084.27 feet to the point of beginning, said parcel being 25 feet either side of and contiguous to the following described centerline, run thence South 35 degrees 55 minutes 24 seconds East for a distance of 22.58 feet; thence along a curve to the right (L=46.86', R=273.54') a chord bearing South 32 degrees 37 minutes 15 seconds East for a chord distance of 146.78 feet; thence South 29 degrees 19 minutes 00 seconds East for a distance of 151.16 feet to a point; thence along a curve to the right (L=119.72', R=148.48') a chord bearing South 15 degrees 30 minutes 48 seconds East for a chord distance of 118.57 feet to a point; thence South 02 degrees 23 minutes 45 seconds East for a distance of 182.65 feet to a point that is the radius point for a 40' cul-de-sac and the point of ending of said centerline. The above-described driveway and cul-de-sac are conveyed subject to the rights of use of third parties created by dedication in the Last Will and Testament of Naomi Williams Fuqua, PC-2000-260.

RECITAL: *The above described property constitutes no part of the homestead of the married Grantors or their respective spouse.*

Parcel #2: A lot or parcel of land particularly described as follows: Starting at a point on the South side of the Andalusia and Brewton State Highway at the Northeast corner of the lot sold and conveyed by M. R. Hogan to F. A. Fuqua and Mallie Hoghes and running South 315 feet; thence West 171 1/2 feet; thence North 211 feet to the South side of said Highway; thence East

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along the South side of said Highway 113 feet to the starting point. Located in and a part of the NW 1/4 of SW 1/4 for Section 19, Township 4, Range 16 East.

RECITAL: The property conveyed herein is no part of the grantors or their spouses.

Parcels #13041930010350000 & 13041930010340000 are located at 845 & 847 South Three Notch Street.

Section II. This Amending Ordinance is adopted upon recommendation of the Planning Commission of the City of Andalusia, Alabama.

Section III. In all other respects said Zoning Ordinance of the City of Andalusia, Alabama, shall remain in full force and effect, and shall remain unchanged except as set forth in this Amending Ordinance.

ADOPTED AND APPROVED this 21st day of February, 2012.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl V. Johnson, Mayor

ATTEST

John M. Thompson, City Clerk - Treasurer

Councilmember Mount moved to suspend all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of Ordinance No. 2012 - 01. The motion was seconded by Councilmember Jewell. The city clerk called the roll of the council for a vote which produced the following results:

YES:

Mayor Johnson
Councilmember Sconiers
Councilmember Mount
Councilmember Griffin
Councilmember Jewell
Councilmember Powell

NO:

None

ABSTAINED:

None

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The Mayor declared the motion carried.

Councilmember Mount moved to approve Ordinance No. 2012 – 01. Councilmember Jewell seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2012 – 07, APPROVING A BID FOR A SEWER EXPANXION PROJECT FOR THE CITY OF ANDALUSIA:

Mayor Johnson presented Resolution No. 2012 – 07.

**THE CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2012 – 07

**A RESOLUTION APPROVING A BID FOR A SEWER EXPANSION PROJECT
FOR THE CITY OF ANDALUSIA**

WHEREAS, the City of Andalusia, the Utilities Board of the City of Andalusia and the Industrial Development Board of the City of Andalusia have been awarded grants for a new well, water and sewer project from the Economic Development Administration of the United States Department of Commerce and the Alabama Department of Economic and Community Affairs; and

WHEREAS, the City of Andalusia, Alabama did legally advertise a bid opening date of January 24, 2012, for the sewer portion of the project, in accordance with Alabama State Law, and on that date opened all bids in public and read them aloud; and

WHEREAS, the project engineer has reviewed the bids and determined that the lowest responsible bidder is L & K Contracting, Inc., with a bid of \$624,844.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA, that the bid of \$624,844 from L & K Contracting, Inc. be accepted.

BE IT FURTHER RESOLVED that the mayor and city clerk be authorized to execute any and all documents necessary to effectuate the intent of this resolution.

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ADOPTED AND APPROVED this 21st day of February, 2012.

THE CITY OF ANDALUSIA, ALABAMA

By: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk – Treasurer

Councilmember Powell moved to approve Resolution No. 2012 – 07.
Councilmember Sconiers seconded the motion which passed unanimously

ANNOUNCEMENTS:

Mayor Johnson announced one opening on the Andalusia Housing Authority.

ADJOURNMENT:

With no further business, Mayor Johnson called the meeting adjourned.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl V. Johnson, Mayor

ATTEST:

John Thompson, City Clerk – Treasurer