

PAGE ONE

**STATE OF ALABAMA
COUNTY OF COVINGTON**

**ANDALUSIA CITY HALL
ANDALUSIA, ALABAMA
AUGUST 7, 2012**

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 5:30 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 Kenneth Mount led the prayer and Pledge of Allegiance to the flag.

PAGE TWO

APPROVAL OF MINUTES:

Mayor Johnson presented the minutes from the July 17, 2012, regular meeting. Councilmember Griffin moved to approve the minutes. Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVES APPROPRIATION FOR ANDALUSIA CIVITAN CLUB BARRELS AND BULLS:

Mayor Johnson announced that the council had received a presentation from a representative of the Civitan Club about a rodeo event at a previous meeting and requested that the council consider sponsoring the event. Councilmember Powell moved to appropriate \$500 from contingency to sponsor the event and noted that it would provide a public benefit. Councilmember Sconiers seconded the motion which passed unanimously.

COUNCIL APPROVES HR2012-002, PERSONNEL POLICY AMENDMENT:

Mayor Johnson presented HR2012-002, Personnel Policy Amendment. Councilmember Powell moved to approve HR2012-002. Councilmember Jewell seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2012 – 22, UNOPPOSED CANDIDATE FOR CITY COUNCIL, DISTRICT 5:

Mayor Johnson presented Resolution No. 2012 – 22.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2012 – 22

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections for Alabama cities; and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended; and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of

PAGE THREE

candidacy or was nominated for the office preceding the deadlines set for an election of municipal officers of the municipality and setting forth the name of such person; and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person; and

WHEREAS, the Mayor of the City of Andalusia has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of City Council, District Five, prior to the deadline and that the name of that person who filed such statement was Terry Powell;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that Terry Powell be and is hereby declared duly elected to the office of City Council, District Five, in the City of Andalusia for the term of office commencing on the first Monday in November, 2012; and

BE IT FURTHER RESOLVED, that the Mayor of the City of Andalusia be and hereby directed to issue a certificate of election to Terry Powell for the office of City Council, District Five, for such term pursuant to the provisions of State of Alabama Act No. 2001-342.

ADOPTED AND APPROVED this 7th day of August, 2012.

ATTEST:

THE CITY OF ANDALUSIA, ALABAMA

John M. Thompson, City Clerk – Treasurer

BY: _____
Earl V. Johnson, Mayor

Councilmember Mount moved to approve Resolution No. 2012 - 22. Councilmember Sconiers seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2012 – 23, UNOPPOSED CANDIDATE FOR BOARD OF EDUCATION, DISTRICT 2:

Mayor Johnson presented Resolution No. 2012 – 23.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2012 - 23

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections for Alabama cities; and

PAGE FOUR

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended; and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadlines set for an election of municipal officers of the municipality and setting forth the name of such person; and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person; and

WHEREAS, the Mayor of the City of Andalusia has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of District Two Board of Education Member prior to the deadline and that the name of that person who filed such statement was Amy Pitts Dugger;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that Amy Pitts Dugger be and is hereby declared duly elected to the office of District Two Board of Education Member in the City of Andalusia for the term of office commencing on the first Monday in November, 2012; and

BE IT FURTHER RESOLVED, that the Mayor of the City of Andalusia be and hereby directed to issue a certificate of election to Amy Pitts Dugger for the office of District Two Board of Education Member for such term pursuant to the provisions of State of Alabama Act No. 2001-342.

ADOPTED AND APPROVED this 7th day of August, 2012.

ATTEST:

THE CITY OF ANDALUSIA, ALABAMA

John M. Thompson, City Clerk – Treasurer

BY: _____
Earl V. Johnson, Mayor

Councilmember Griffin moved to approve Resolution No. 2012 - 23. Councilmember Mount seconded the motion which passed unanimously.

PAGE FIVE

COUNCIL APPROVES RESOLUTION NO. 2012 – 24, UNOPPOSED CANDIDATE FOR BOARD OF EDUCATION, DISTRICT 4:

Mayor Johnson presented Resolution No. 2012 – 24.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2012 – 24

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections for Alabama cities; and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended; and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadlines set for an election of municipal officers of the municipality and setting forth the name of such person; and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person; and

WHEREAS, the Mayor of the City of Andalusia has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of District Four Board of Education Member prior to the deadline and that the name of that person who filed such statement was William G. King, Jr.;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that William G. King, Jr. be and is hereby declared duly elected to the office of District Four Board of Education Member in the City of Andalusia for the term of office commencing on the first Monday in November, 2012; and

PAGE SIX

BE IT FURTHER RESOLVED, that the Mayor of the City of Andalusia be and hereby directed to issue a certificate of election to William G. King, Jr. for the office of District Four Board of Education Member for such term pursuant to the provisions of State of Alabama Act No. 2001-342.

ADOPTED AND APPROVED this 7th day of August, 2012.

ATTEST:

THE CITY OF ANDALUSIA, ALABAMA

John M. Thompson, City Clerk – Treasurer

BY: _____
Earl V. Johnson, Mayor

Councilmember Jewell moved to approve Resolution No. 2012 - 24. Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2012 – 25, APPOINTING POLL WORKERS FOR 2012 MUNICIPAL ELECTION:

Mayor Johnson presented Resolution No. 2012 – 25.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION No. 2012 - 25

BE IT RESOLVED by the City Council of Andalusia, Alabama, that the following people be appointed poll workers in the municipal election of August 28, 2012.

Chief Inspector	Charles R. Jackson	905 Waterford Road
Inspector	Robert D. Barton	13684 Max Barton Road
Asst. Inspector	John Odom	502 Pugh Street
Chief Clerk	Lee Kirkland	1314 Magnolia Street
Asst. Chief Clerk	Betty Davis	717 Albritton Road
Machine Operator	Lewis Carpenter	210 Lowe Avenue
Machine Operator	Leamon Hudson	1302 W. By-Pass
<u>District 1</u>		
Asst. Clerk	Carolyn Curry	320 Feagin Avenue
Asst. Clerk	Margaret Bass	410 Montezuma Street
Asst. Clerk	Jenny Pitts	390 Diane Drive

PAGE SEVEN

District 2

Asst. Clerk	Judy Clark	13572 Brooklyn Road
Asst. Clerk	Gladys Sanders	1306 W. By-Pass
Asst. Clerk	Peggy Hiers	201 Woodlawn Avenue

District 3

Asst. Clerk	Marie Armstrong	1707 Cedar Road
Asst. Clerk	Annie Jean Cooper	501 Montezuma Street
Asst. Clerk	Carolyn Sanders	1713 Easley Drive

District 4

Asst. Clerk	Hazel Jordan	1512 Midway Drive
Asst. Clerk	Mary Kirkland	1314 Magnolia Street
Asst. Clerk	Hazel Lewis	603 Tucker Street

District 5

Asst. Clerk	Joyce Harrell	1205 1 st Avenue-Bellwood
Asst. Clerk	Jane Graddy	1719 Marie Street
Asst. Clerk	Audie Mikel	1304 Linda Street

BE IT FURTHER RESOLVED that the compensation for this service shall be \$100 per day.

ADOPTED AND APPROVED this 7th day of August, 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 - 25. Councilmember Griffin seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2012 – 26, ABATEMENT OF PROPERTIES:

Mayor Johnson presented Resolution No. 2012 – 26.

PAGE EIGHT

**THE CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2012 - 26

A RESOLUTION DETERMINING COSTS OF ABATEMENT OF PROPERTIES

WHEREAS, the City of Andalusia, Alabama, adopted the provisions of State of Alabama Act 94-540 by Ordinance No. 1994-7 which provides for the abatement of nuisances; and

WHEREAS, the City Council is required to confirm the costs the City of Andalusia has incurred in the abatement of nuisance properties; and

WHEREAS, the City of Andalusia has incurred costs in the abatement of nuisances located at the properties described below; now

BE IT RESOLVED by the City Council of the City of Andalusia that the actual costs of abatement of the aforementioned properties is as follows:

Parcel: 13041810020040000
Description: 316 Stewart Street
Actual Cost of Abatement: \$246.00

Parcel: 13041840050050000
Description: 210 River Falls Street
Actual Cost of Abatement: \$342.00

Parcel: 13051620030050000
Owner: Alan Hayden
Description: Property on Weant Street behind Cedar Apartments
Actual Cost of Abatement: \$2,421.60

ADOPTED AND APPROVED this 7th day of August, 2012.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk – Treasurer

PAGE NINE

Councilmember Powell moved to approve Resolution No. 2012 - 26. Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2012 – 27, ABATEMENT COSTS:

Mayor Johnson presented Resolution No. 2012 – 27.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2012 - 27

BE IT RESOLVED by the City Council of the City of Andalusia, Alabama that we, after having examined the report of the City Building Inspector, do hereby find that the property in question specifically described below and denominated as parcel numbers by the Revenue Commission of Covington County is hazardous to the health, safety, welfare, and morals of the citizens of Andalusia and thereby constitute a public nuisance pursuant to the Alabama Act No. 94-540 as adopted by the City Council of the City of Andalusia:

- 1) Church Street at the Corner of Auburn Avenue and Jackson Street – Parcel #13041910060080000
- 2) 500 Auburn Avenue – Parcel #13041910050050000
- 3) Corner of River Falls Street and Allen Avenue – Parcel #13041830040300000
- 4) 626 Rankin Street – Parcel #13041910040190000

BE IT FURTHER RESOLVED that the City Council hereby authorizes the Building Inspector to proceed with the abatement of these nuisances as authorized under State of Alabama Act. No. 94-540 as adopted by the City of Andalusia.

ADOPTED AND APPROVED this 7th day of August, 2012.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, Asst. City Clerk

Councilmember Griffin moved to approve Resolution No. 2012 - 27. Councilmember Sconiers seconded the motion which passed unanimously.

PAGE TEN

COUNCIL APPROVES RESOLUTION NO. 2012 – 28, DECLARING POLICE VEHICLES SURPLUS:

Mayor Johnson presented Resolution No. 2012 – 28.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA
RESOLUTION No. 2012 - 28**

A RESOLUTION DECLARING CITY VEHICLE SURPLUS

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

- (1) 2003 Ford Crown Victoria
VIN: 2FAFP71W53X202958
Unit #A – 32

- (2) 2003 Ford Crown Victoria
VIN: 2FAFP71W33X202960
Unit #A – 33

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 7th day of August, 2012.

THE CITY OF ANDALUSIA, ALABAMA

By: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk – Treasurer

PAGE ELEVEN

Councilmember Sconiers moved to approve Resolution No. 2012 - 28. Councilmember Powell seconded the motion which passed unanimously.

ADJOURNMENT:

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

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk - Treasurer