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**STATE OF ALABAMA
COUNTY OF COVINGTON**

**ANDALUSIA CITY HALL
ANDALUSIA, ALABAMA
April 2, 2013**

REGULAR WORK SESSION MEETING

PRESENT:

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

ABSENT:

None

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

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APPROVAL OF MINUTES:

Mayor Johnson presented the minutes from the regular meeting, March 19, 2013. Councilmember Powell moved to approve the minutes. Councilmember Wells seconded the motion which passed unanimously.

COUNCIL APPROVES ENGINEERING SERVICES CONTRACT FOR THE SOUTH THREE NOTCH STREET PROJECT:

Mayor Johnson presented the engineering services contract for the South Three Notch Street Project. Councilmember Griffin moved to approve the engineering services contract. Councilmember Sconiers seconded the motion which passed unanimously.

COUNCIL APPROVES ORDINANCE NO. 2013 – 01, ANNUAL BACK TO SCHOOL SALES TAX HOLIDAY:

Councilmember Sconiers moved to suspend all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of Ordinance No. 2013 - 01. The motion was seconded by Councilmember Powell. Mayor Johnson called for a vote which produced the following results:

<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>
Mayor Johnson	None	None
Councilmember Sconiers		
Councilmember Mount		
Councilmember Griffin		
Councilmember Wells		
Councilmember Powell		

COUNCIL APPROVES RESOLUTION NO. 2013 – 12, APPROVING REAL ESTATE ACQUISITION:

Mayor Johnson presented Resolution No. 2013 – 12, approving real estate acquisition.

**THE CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2013 – 12

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ALL DOCUMENTS, FORMS AND OTHER LEGAL PAPERS NECESSARY TO PURCHASE THE HUGHES PROPERTY

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WHEREAS, the City Council of the City of Andalusia desires to improve the quality of life for all citizens and to further progress by continuing to clean, restore and revitalize all areas of Andalusia; and

WHEREAS, the City Council of the City of Andalusia desires to purchase approximately one - half acre and building known as the DigiPrint Office or Hughes Property on Opp Avenue at Dunson Street and to finance the purchase of said property with borrowed funds; and

WHEREAS, the City of Andalusia desires to use the site for parking city vehicles and equipment and to develop the building into a municipal court facility in the future,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA, ALABAMA that the mayor and city clerk be authorized to execute all documents, forms and legal papers necessary to purchase and finance approximately one - half acre and building described above, not to exceed \$185,000.

BE IT FURTHER RESOLVED, that the mayor and city clerk be authorized to execute all documents to obtain temporary and long – term financing necessary to effectuate the intent of this resolution.

ADOPTED AND APPROVED this 2nd day of April, 2013.

ALABAMA

THE CITY OF ANDALUSIA,

By: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk – Treasurer

Councilmember Powell moved to approve Resolution No. 2013 – 12.
Councilmember Wells seconded the motion which passed unanimously.

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COUNCIL APPROVES RESOLUTION NO. 2013 – 13, AUTHORIZING RESURFACING OF STANLEY AVENUE:

Mayor Johnson presented Resolution No. 2013 – 13, authorizing resurfacing of Stanley Avenue.

**RESOLUTION NO.
2013 – 13**

WHEREAS, the City of Andalusia, Alabama (hereinafter at times referred to as City) is desirous of having certain improvements made on SR-15 within the City Limits of Andalusia, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project Number STPAA-HSIP-0015(524) Resurfacing and 2' Safety Widening on SR-15 from the intersection of SR-55,(MP 541.520) to east Three Notch Street (MP 543.663) Covington County.

WHEREAS, The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, the Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless the City will agree to certain requirements of the Federal Highway Administration. The City for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the City Council of Andalusia that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this City and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans The City by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained,

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paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted. The City hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

BE IT FURTHER RESOLVED by the City Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the City will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the national Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama. Additional requirements may be added such as the following, If applicable.

BE IT FURTHER RESOLVED by this City Council:

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1. That the City agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the City.
2. That the City agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the City has the option of vacating same.
3. That the City agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the City agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the case.

It is understood and agreed that no changes in this Resolution or Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

THIS RESOLUTION PASSED, ADOPTED, AND APPROVED this the 2nd day of April 2013.

ATTEST

City Clerk

Mayor

I, the undersigned, Clerk of the City of Andalusia, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and lawfully adopted by the Council of the foregoing City, at its regular meeting held on the 2nd day of April, 2013 which resolution is on file in the office of the City Clerk.

Given under my hand and the official seal of such City this 2nd day of April, 2013.

CITY CLERK

Councilmember Wells moved to approve Resolution No. 2013 – 13.
Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVES ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE FOR STRIKERS ENTERTAINMENT INC.:

Mayor Johnson presented an Alabama Alcoholic Beverage Control Board, 040 – Retail Beer (ON OR OFF PREMISES) and 060 – Retail Table Wine (ON OR OFF PREMISES) application for Strikers Entertainment Inc. to the council for consideration.

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Councilmember Mount moved to approve the Alcoholic Beverage Control Board License. Councilmember Wells seconded the motion. Mayor Johnson called for a vote which produced the following results:

YES

Mayor Johnson
Councilmember Mount
Councilmember Wells

NO

None

ABSTAINED

Councilmember Sconiers
Councilmember Griffin
Councilmember Powell

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