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**STATE OF ALABAMA
ANDALUSIA CITY HALL
COUNTY OF COVINGTON
ANDALUSIA, ALABAMA
NOVEMBER 5, 2013**

REGULAR WORK SESSION MEETING

PRESENT:

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

ABSENT:

Terry Powell, Councilmember

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
Mark Christensen, City Attorney

ABSENT:

Terry Powell, Councilmember

Mayor Johnson called the meeting to order and welcomed all. Mayor Johnson 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, October 15, 2013. Councilmember Mount moved to approve the minutes. Councilmember Griffin seconded the motion which passed unanimously.

COUNCIL APPROVES ORDINANCE 2013 – 03, AMENDING ZONING ORDINANCE:

Mayor Johnson presented Ordinance 2013 – 03, amending Andalusia’s Zoning Ordinance and opened a public hearing for anyone to speak for or against the matter. Three citizens gave opinions of the proposed ordinance after which the mayor called the public hearing closed. Councilmember Wells moved to approve Ordinance 2013 – 03. Councilmember Sconiers seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2013 – 29, SALES TAX REBATE:

Mayor Johnson presented Resolution No. 2013 – 29, authorizing a sales tax rebate and invited anyone with interest to speak for or against the matter. Several citizens shared their opinions with the council.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2013-29

**A RESOLUTION TO AUTHORIZE A REBATE ON SALES
TAX FOR THE OPERATION OF A ZAXBY’S RESTAURANT
IN THE CITY OF ANDALUSIA, ALABAMA**

WHEREAS, the City Council finds that it serves a public purpose to encourage economic development in the City of Andalusia; and

WHEREAS, the City Council finds that location of a Zaxby’s Restaurant in the City of Andalusia will serve valid and sufficient public purposes including, but not limited to, expansion and enhancement of the City’s economic and tax base, thereby providing additional revenues for schools, municipal services, and other public needs, and increased employment opportunities with the City, promotion of the City as a center for retail and commercial activity; and provision of additional goods and services to the residents of Andalusia and the surrounding areas; and

WHEREAS, Amendment 725 to the Constitution of Alabama of 1901 provides that in promoting local economic development, the city council may grant public moneys and things of value in aid of any individual, form, association, corporation, or entity whatsoever; and

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WHEREAS, the City Council finds that the contract attached as an Exhibit hereto will carry out the intent of this resolution;

WHEREAS, the City Council finds that the location of a Zaxby's restaurant in Andalusia and a temporary sales tax rebate to encourage its location would provide a significant benefit to a broad segment of the public and that any private benefit that might accrue would only be incidental and insubstantial in the context of the public benefit;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that the Mayor and Clerk are hereby authorized to execute said contract for the purposes expressed therein.

ADOPTED AND APPROVED this 5th day of November, 2013.

THE CITY OF ANDALUSIA

Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk-Treasurer

Councilmember Mount moved to approve Resolution No. 2013 – 29.
Councilmember Sconiers seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2013 – 30, ABATEMENTS:

Mayor Johnson presented Resolution No. 2013 – 30, abatements.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2013 - 30

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

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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) 316 Stewart Street- Parcel # 13041810020040000
- 2) Lot on Antebellum Loop- Parcel # 13020910010030370
- 3) Jackson Street/Auburn Avenue- Parcel # 13041910060080000
- 4) Fletcher Road- Parcel # 14011240020070000

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 5th day of November, 2013.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk

Councilmember Griffin moved to approve Resolution 2013 - 30. Councilmember Wells seconded the motion which passed unanimously.

COUNCIL APPROVES ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE FOR THE CORNER MARKET:

Mayor Johnson presented an Alabama Alcoholic Beverage Control Board, 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only) application for The Corner Market to the council for consideration.

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

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

COUNCIL APPROVES RESOLUTION NO. 2013 – 31, OUTSIDE AGENCY APPROPRIATIONS:

Mayor Johnson presented Resolution No. 2013 – 31, outside agency appropriations.

**THE CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2013 – 31

A RESOLUTION APPROVING OUTSIDE AGENCY APPROPRIATIONS

WHEREAS, the City Council of the City of Andalusia desires to provide financial assistance to certain outside agencies; and

WHEREAS, the City Council of the City of Andalusia has examined the performance of certain outside agencies and found them to provide a public benefit to the citizens of the City of Andalusia.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA, that \$93,021.75 be appropriated from contingency and that the treasurer is hereby directed to fund the 2013 outside agency requests for the second, third and fourth quarters of FY 2013.

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ADOPTED AND APPROVED this 5th day of November, 2013.

THE CITY OF ANDALUSIA, ALABAMA

By: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk – Treasurer

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