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**STATE OF ALABAMA  
COUNTY OF COVINGTON**

**ANDALUSIA, ALABAMA  
ANDALUSIA CITY HALL  
OCTOBER 21, 2014**

**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:**

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.

**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:**

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

**APPROVAL OF MINUTES:**

Mayor Johnson presented the minutes from the regular meeting, October 7, 2014. Councilmember Sconiers moved to approve the minutes. Councilmember Griffin seconded the motion which passed unanimously.

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**COUNCIL APPROVES ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE APPLICATION:**

Mayor Johnson presented a State of Alabama Alcoholic Beverage Control Board Retail Beer License for Gitty Up N Go No. 11, 223 Dr. Martin Luther King Jr., Expressway. Councilmember Wells moved to approve the application. Councilmember Mount seconded the motion. Mayor Johnson called for a vote which produced the following results:

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

**COUNCIL APPROVES RESOLUTION 2014-28, ABATEMENT OF PROPERTIES:**

Mayor Johnson presented Resolution 2014-28, Abatement of Properties.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2014 - 28**

**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) Boutwell Street Empty Lot parcel # 1304192004014000

**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.

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**ADOPTED AND APPROVED** this 21st day of October, 2014

**ALABAMA** **THE CITY OF ANDALUSIA,**

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

**ATTEST:**

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

Councilmember Mount moved to approve Resolution 2014-28. Councilmember Griffin seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION 2014-29, AUTHORIZING A DEVELOPMENT AGREEMENT WITH TACALA, LLC:**

Mayor Johnson presented Resolution 2014-29, Authorizing a Development Agreement with Tacala, LLC.

**THE CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA  
RESOLUTION NO. 2014-29**

**A RESOLUTION TO AUTHORIZE A REBATE ON SALES  
TAX FOR THE OPERATION OF A TACO BELL 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 Tacala, LLC intends to open a Taco Bell restaurant in Andalusia, and that the opening of said establishment 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, firm, 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 opening of a Taco Bell restaurant in Andalusia and a temporary sales tax rebate to encourage its opening 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 21<sup>st</sup> day of October, 2014.

**THE CITY OF ANDALUSIA, ALABAMA**

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

**ATTEST:**

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

Councilmember Wells moved to approve Resolution 2014-29. Councilmember Powell seconded the motion which passed unanimously.

**COUNCIL APPOINTS MEMBERS TO ANDALUSIA PUBLIC LIBRARY BOARD:**

Mayor Johnson announced three openings on Andalusia Public Library Board. Councilmember Powell nominated Pat Davis, Robert Williams, and Annie Jean Stone to continue to serve on the Andalusia Public Library Board. Councilmember Sconiers seconded the motion which passed unanimously.

**COUNCIL APPOINTS MEMBERS TO BOARD OF ZONING ADJUSTMENTS:**

Mayor Johnson announced four openings on the Board of Zoning Adjustments. Councilmember Powell nominated Larry Avery, Wayne Holmes, Vernell Craig, and Willie Locke to serve on the Board of Zoning Adjustments. Councilmember Sconiers seconded the motion which passed unanimously.

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**MAYOR PRESENTS AGREEMENT WITH THE STATE OF ALABAMA,  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES:**

Mayor Johnson presented an agreement with the State of Alabama, Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries for the purpose of applying for a grant for an archery range. Councilmember Griffin moved to authorize the mayor to execute the agreement. Councilmember Mount seconded the motion which passed unanimously.

**COUNCIL APPROVES PURCHASE OF VEHICLES AND COMMUNICATION  
EQUIPMENT:**

Mayor Johnson presented a plan to purchase three police vehicles and communication equipment for the police, fire and other departments. Councilmember Powell moved to approve the purchase of the vehicles and communication equipment, to finance it through Southern Independent Bank for a period of five years, not to exceed \$288,000 and to authorize the mayor and city clerk to sign all documents necessary to effectuate the project. Councilmember Wells seconded the motion which passed unanimously.

**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**