

**STATE OF ALABAMA
COUNTY OF COVINGTON**

**ANDALUSIA, ALABAMA
ANDALUSIA CITY HALL
MAY 17, 2016**

REGULAR WORK SESSION MEETING

PRESENT:

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

ABSENT:

Will Sconiers, Councilmember
Terry Powell, Councilmember

The City Council of the City of Andalusia, Alabama, met in room 340 at city hall for a work session at 5:00 p.m. for the purpose of planning and finalizing the agenda.

REGULAR COUNCIL MEETING

PRESENT:

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

ABSENT:

Will Sconiers, Councilmember
Terry Powell, Councilmember

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

APPROVAL OF MINUTES:

Mayor Johnson presented the minutes from the regular meeting, May 3, 2016. Councilmember Mount moved to approve the minutes. Councilmember Wells seconded the motion which passed unanimously.

COUNCIL APPROVES ORDINANCE NO. 2016 – 03, AUTHORIZING THE SALE OF THE FORMER SAEHAESUNG BUILDING TO J & D PROPERTIES, LLC.:

Mayor Johnson presented Ordinance No. 2016 – 03, Authorizing the Sale of the Former SaeHaeSung Building to J&D Properties, LLC.

**THE CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

ORDINANCE NO. 2016 - 03

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA, ALABAMA:

WHEREAS, the City Council of the City of Andalusia, Alabama, desires to improve the quality of life for all of its citizens and the residents of surrounding areas; and

WHEREAS, the City Council of the City of Andalusia, Alabama, desires to encourage economic development in the City of Andalusia and to encourage responsible development that will lead to benefits that 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, an agreement has been reached to sell the spec. building at the City Industrial Park to J & D Properties, LLC and the City Council of the City of Andalusia, Alabama, finds that said sale will promote the purposes set forth above;

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

1. It is hereby established and declared the following described real property of the City of Andalusia, Alabama, is no longer needed for public or municipal purposes, to wit:

Commencing at a found 3" concrete marker said point being the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 4, Township 4 North, Range 16 East, Covington County, Alabama; thence South 82°21'26" East a distance of 129.72' to a found ½" rebar w/cap ALS 26950 on the East right of way of Progress Drive (80' R.O.W.); thence along said Progress Drive South 07°19'03" West a distance of 50.18' to a ½" rebar w/cap ALS 26950; thence continue along Progress Drive South 07°19'03" West a distance of 471.14' to a concrete marker; thence run along a right of way flare South 39°12'04" East for a distance of 41.29' to a concrete marker on the North side of a 80' right of way; thence run along said right of way South 85°43'11" East for a distance of 356.29'; thence leaving said right of way run South 02°59'40" West for a distance of 80.02' to a ½" rebar w/cap PLS 21469 set on the South side of said 80' right of way, being the POINT OF BEGINNING; thence run South 02°59'40" West for a distance of 368.52' to a ½" rebar w/cap PLS 21469 set on the North side of a 30' easement;

thence run along said easement line North 85°03'21" West for a distance of 292.83' to a ½" rebar w/cap PLS 21469; thence continue along said easement line North 69°24'12" West for a distance of 239.86' to a ½" rebar w/cap PLS 21469; thence continue along said easement line South 49°32'22" West for a distance of 145.95' to a ½" rebar w/cap PLS 21469; thence leaving said easement line run North 06°32'43" East for a distance of 400.69' to a ½" rebar w/cap PLS 21469 set on the South side of Progress Drive; thence run along an 80' right of way South 85°43'11" East for a distance of 602.57' to the POINT OF BEGINNING, said parcel lying in and being a part of the Southeast Quarter and the Southwest Quarter of Section 4, Township 4 North, Range 16 East, Covington County, Alabama and containing 4.94 acres, more or less.

2. This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED AND APPROVED this 17th day of May, 2016.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
EARL V. JOHNSON, MAYOR

ATTEST:

JOHN THOMPSON, CITY CLERK/TREASURER

Councilmember Griffin moved to approve Ordinance 2016-03. Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVES ORDINANCE NO. 2016 – 04, 2016 GENERAL OBLIGATION WARRANTS:

Mayor Johnson presented Ordinance No. 2016 – 04, 2016 General Obligation Warrants to the council. Councilmember Wells moved to suspend rules to allow immediate consideration of Ordinance No. 2016 – 04. Councilmember Mount seconded the motion. City Clerk John Thompson called for the roll, which produced the following results:

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

Councilmember Wells moved to approve Ordinance No. 2016 – 04. Councilmember Mount seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2016 – 09, BIG MIKE’S FORCE ACCOUNT
AND RESOLUTION NO. 2016 – 10, CLARK THEATER FORCE ACCOUNT:**

Mayor Johnson presented Resolution No. 2016 – 09, Big Mike’s Force Account and Resolution No. 2016 – 10, Clark Theater Force Account to the council.

**THE CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2016- 09

**A RESOLUTION REGARDING THE RENOVATION
OF THE ANDALA BUILDING PURSUANT TO THE CONTRACT
WITH BIG MIKE’S RESTAURANT ANDALUSIA, LLC**

WHEREAS, the City Council has previously rejected all bids; and

WHEREAS, negotiations have not resulted in offers that the City Council believes would be in the best interest of the City and its citizens; and

WHEREAS, the City Council has consulted with the Director of Planning and Development and believes that the project can be completed with a budget of \$800,000 which represents a considerable savings compared to the bid amount;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that it is in the best interests of the citizens of the City of Andalusia to proceed to have the City do the project through force account work pursuant to Title 39 of the Code of Alabama and that the Mayor and City Clerk are authorized to execute such documents as may be necessary to do the project through force account work and that detailed project expense reports shall be submitted to the council on a monthly basis or more frequently on request.

ADOPTED AND APPROVED this 17th day of May, 2016.

THE CITY OF ANDALUSIA

Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk-Treasurer

**THE CITY OF
ANDALUSIA ANDALUSIA,
ALABAMA**

RESOLUTION NO. 2016- 10

**A RESOLUTION REGARDING THE
RENOVATION
OF THE CLARK THEATER PURSUANT TO THE
CONTRACT WITH CLARK THEATRES, INC.**

WHEREAS, the City Council has previously rejected all bids; and

WHEREAS, negotiations have not resulted in offers that the City Council believes would be in the best interest of the City and its citizens; and

WHEREAS, the City Council has consulted with the Director of Planning and Development and believes that the project can be completed with a budget of \$1,400,000 which represents a considerable savings compared to the bid amount;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that it is in the best interests of the citizens of the City of Andalusia to proceed to have the City do the project through force account work pursuant to Title 39 of the Code of Alabama and that the Mayor and City Clerk are authorized to execute such documents as may be necessary to do the project through force account work and that detailed project expense reports shall be submitted to the council on a monthly basis or more frequently on request.

ADOPTED AND APPROVED this 17th day of May, 2016.

THE CITY OF ANDALUSIA

Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk-Treasurer

Councilmember Wells moved to approve Resolutions 2016 – 09 and 2016 – 10 together. Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NUMBERS 2016 – 11 AND 2016 – 12, CAPITAL IMPROVEMENT COOPERATIVE DISTRICT:

Mayor Johnson presented Resolution No. 2016 – 11 and Resolution No. 2016 – 12, the formation of a Capital Improvement Cooperative District to the council.

**THE CITY OF
ANDALUSIA
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2016-
11**

**A RESOLUTION GRANTING AUTHORITY TO FORM
A CAPITAL IMPROVEMENT COOPERATIVE
DISTRICT WITHIN THE CITY OF ANDALUSIA**

WHEREAS, an application has been presented to the City Council by _____, _____, and _____ seeking permission to incorporate a capital improvement cooperative district pursuant to Code of Alabama § 11-99B-1 et seq. to be called The Capital Improvement Cooperative District of the City of Andalusia, Alabama; and

WHEREAS, the City Council has reviewed the application and the supporting documentation and finds that the incorporation of such a district will serve valid and sufficient public purposes including, but not limited to, enhancement of the downtown Andalusia area and the entertainment opportunities in the community for residents of Andalusia and the surrounding areas; and

WHEREAS, a proposed Certificate of Incorporation for said capital improvement cooperative district has also been presented to the City Council; and

WHEREAS, the City Council has reviewed and considered all of the information presented to it;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Andalusia, Alabama, hereby declares that it has reviewed the application for authority to form a capital improvement cooperative district to be named “The Capital Improvement Cooperative District of the City of Andalusia, Alabama” and has found and determined as a matter of fact that it is wise, expedient, and necessary that the proposed district be formed, and it is also hereby declared that the City Council has approved the proposed form of certificate of incorporation attached to said application, and the applicants are hereby authorized to proceed to form the proposed district by the filing for record the certificate of incorporation in accordance with the provisions of Code of Alabama § 11-99B-4.

ADOPTED AND APPROVED this ____ day of _____, 2016.

THE CITY OF ANDALUSIA

Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk-Treasurer

**THE CITY OF
ANDALUSIA ANDALUSIA,
ALABAMA**

**RESOLUTION NO. 2016-
12**

**A RESOLUTION TO APPOINT THE INITIAL DIRECTORS
OF THE CAPITAL IMPROVEMENT COOPERATIVE
DISTRICT OF THE CITY OF ANDALUSIA, ALABAMA**

WHEREAS, the City Council has adopted a Resolution finding that it was wise, expedient, and necessary that The Capital Improvement Cooperative District of the City of Andalusia, Alabama be formed; and

WHEREAS, the Article VI of the Certificate of Incorporation provides for the district to have three (3) directors; and

WHEREAS, the City of Andalusia, Alabama is the only member of said district and the Certificate of Incorporation provides that all directors of the district shall be elected by the City Council of the City of Andalusia; and

WHEREAS, the City Council finds that the Mayor, the Mayor pro tempore, and the City Clerk are all duly qualified electors of the City of Andalusia and also possess the knowledge, education, experience, and other qualities giving them the capability to serve well as directors of the Capital Improvement Cooperative District of the City of Andalusia, Alabama;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Andalusia, Alabama, that Earl V. Johnson, Terry Powell, and John M. Thompson are hereby elected to serve as the initial directors of the Capital Improvement Cooperative District of the City of Andalusia, Alabama, and that their terms shall commence upon the filing for record of the certificate of incorporation and shall expire at 12:01 A.M. on the fourth anniversary of the

filing for record of the certificate of incorporation. It is further resolved that the City Council shall elect subsequent directors (although directors shall be eligible for reelection) not earlier than 30 days prior to the date on which such director is to take office and that in accordance with the Code of Alabama and the certificate of incorporation of the Capital Improvement Cooperative District of the City of Andalusia, Alabama, such directors shall serve terms of four (4) years.

ADOPTED AND APPROVED this 17th day of May, 2016.

THE CITY OF ANDALUSIA

Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk-Treasurer

Councilmember Griffin moved to approve Resolutions 2016 – 11 and 2016 – 12 together. Councilmember Wells seconded the motion which passed unanimously.

MAYOR JOHNSON PRESENTED ORDINANCE NO. 2016 – 05 FOR A FIRST READING:

Mayor Johnson presented Ordinance No. 2016 – 05, Zoning to the council for a first reading.

MAYOR JOHNSON PRESENTED ORDINANCE NO. 2016 – 06 FOR A FIRST READING:

Mayor Johnson presented Ordinance No. 2016 – 06, Zoning to the council for a first reading.

MAYOR JOHNSON PRESENTED ORDINANCE NO. 2016 – 07 FOR A FIRST READING:

Mayor Johnson presented Ordinance No. 2016 – 07, Zoning to the council for a first reading.

COUNCIL APPROVES REQUEST FROM THE ANDALUSIA CHAMBER OF COMMERCE:

Mayor Johnson presented a request from the Andalusia Chamber of Commerce for assistance with July Jamz. Councilmember Wells moved to appropriate \$10,000 from contingency to support July Jamz. Councilmember Mount 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