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**STATE OF ALABAMA
COUNTY OF COVINGTON**

**ANDALUSIA, ALABAMA
ANDALUSIA CITY HALL
MAY 7, 2019**

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

The City Council of the City of Andalusia, Alabama, met in room 340 at city hall for a regular meeting 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, Mayor Councilmember
Mark Christensen, City Attorney

ABSENT:

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 on April 16, 2019. Councilmember Mount moved to approve the minutes. Councilmember Griffin seconded the motion which passed unanimously.

COUNCIL APPROVES ORDINANCE NO. 2019-02, AMENDING ABATEMENT ASSESSMENTS:

Mayor Johnson presented Ordinance No. 2019-02, amending abatement assessments.

**ORDINANCE 2019-02
AN ORDINANCE AMENDING SECTION 13-59.2 OF THE CODE OF ANDALUSIA**

Whereas, the City Council of the City of Andalusia, Alabama finds that enforcement of the weed abatement ordinances of the City of Andalusia is necessary for the health, safety, and well-being of the citizens of the City of Andalusia; and

Whereas, there are significant administrative costs that are incurred in the enforcement of the weed abatement ordinances of the City of Andalusia; and

Whereas, the City Council finds that such costs should be assessed against the properties that have been found in violation of the weed abatement ordinances; and

Whereas, the tracking of the exact amount of administrative costs involves additional administrative costs, and the City Council finds that the sum of \$150.00 is a fair assessment of the usual administrative costs and ought to be assessed against those who violate the weed abatement ordinances in order to reimburse the City of Andalusia for its administrative costs;

Now therefore, be it ordained that Section 13-59.2 of the Code of Andalusia is hereby amended to read as follows:

Sec. 13-59.2. - Accounting of cost of abatement.

The appropriate city official shall give an itemized written report to the city governing body regarding the cost of abating the nuisance. The cost of abatement shall be the actual cost the city incurs in the abatement, including administrative costs. The amount of administrative costs shall be presumptively \$150.00 per parcel abated, although a higher amount may be assessed upon a

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proper showing by the appropriate City Official. Should the city contract for abatement, the cost shall be the actual costs the contractor charges the city for the abatement, including administrative costs the city incurs. Upon report of the cost by the appropriate city official, the governing body shall adopt a resolution confirming the costs of the reports, provided that any person, firm, or corporation having an interest in the property may be heard at the meeting concerning the fixing of the costs or the amounts thereof. The city clerk of the city shall give at least ten (10) days' notice of the meeting at which the fixing of the costs is to be considered by first-class mail to all entities having an interest in the property whose address and interest is determined from the revenue commissioner's records on the property or is otherwise known to the clerk.

This ordinance shall take effect upon its publication as required by law.

Adopted and ordained this 16th day of April, 2019.

By: _____
Earl V. Johnson, Mayor

ATTEST: _____
John M. Thompson, City Clerk/Treasurer

Councilmember Griffin moved to approve Ordinance No. 2019-02. Councilmember Wells seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2019-13, SURPLUS VEHICLE:

Mayor Johnson presented Resolution No. 2019-13, surplus vehicle.

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Mayor Johnson presented a request from the Alabama Junior Rodeo Association for assistance with the annual state finals to be held at the Covington Arena in Andalusia, May 29-31, 2019. Councilmember Powell moved to appropriate \$1,500 from contingency to support the rodeo and noted that it served a public purpose. Councilmember Sconiers seconded the motion which passed unanimously.

COUNCIL APPROVED RESOLUTION NO. 2019-14, ABATEMENTS OF NUISANCE PROPERTIES:

Mayor Johnson presented Resolution No. 2019-14, Abatements of nuisance properties to the council.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2019 – 14

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) | 801 First Ave. | parcel # 1304171003005000 |
| 2) | 821 First Ave. | parcel # 1304171003001000 |
| 3) | 521 South Cotton St. | parcel # 1304191009005000 |
| 4) | 210 Lori Lane | parcel # 1309292002025000 |
| 5) | Empty Lot Eighth Ave. | parcel # 1304184001001000 |
| 6) | 317 Church St. | parcel # 1304184007012000 |
| 7) | 118 Faulkenberry St. | parcel # 1304191001014000 |
| 8) | 426 South Three Notch St. | parcel # 1304191102019000 |
| 9) | 306 Church St. | parcel # 1304184007006000 |
| 10) | 203 Baker St. | parcel # 1304191101052000 |
| 11) | 1509 First Ave. Green Acres | parcel # 1305213003010000 |
| 12) | 306 Clyde St. | parcel # 1304202001013001 |
| 13) | 210 Hand Ave. | parcel # 1304171007015000 |

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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 May, 2019

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk

Councilmember Wells moved to approve Resolution No. 2019-14. Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVED RESOLUTION NO. 2019-16, ABATEMENT OF UNSAFE PROPERTIES:

Mayor Johnson presented Resolution No. 2019-16, Abatement of Unsafe Properties.

**THE CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2019-16
A RESOLUTION ABATING 523 SOUTH COTTON STREET**

WHEREAS, the appropriate Municipal Official has made a finding pursuant to Ordinance No. 2015-03 of the City of Andalusia that the building at 523 South Cotton Street within the City of Andalusia is dangerous and unsafe to the extent that it is a public nuisance; and

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WHEREAS, a *lis pendens* was filed with the Judge of Probate of Covington County, Alabama on March 15, 2019 and said *lis pendens* gave notice that a public meeting would be held during the regular meeting of the City Council on May 7, 2019 at 6:00 p.m. at Andalusia City Hall; and

WHEREAS, copies of the *lis pendens* have been served upon the owners and other parties due to be given notice, copies have been posted on the property itself and at the Covington County Courthouse, the Andalusia Public Library, and the Andalusia City Hall, and notice has also been published in the *Andalusia Star News*; and

WHEREAS, the public meeting was held at the date and time contained in the aforementioned *lis pendens* notice, and 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 accepts the findings and recommendations of the Appropriate Municipal Official and directs that the abatement of the building at 523 South Cotton Street, Andalusia, AL 36420 proceed immediately.

ADOPTED AND APPROVED this 7th day of May, 2019.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____

Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk-Treasurer

Councilmember Powell moved to approve Resolution No. 2019-16. Councilmember Wells seconded the motion which passed unanimously.

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ADJOURNMENT:

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

THE CITY OF ANDALUSIA, ALABAMA

By: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk/Treasurer