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**STATE OF ALABAMA
COUNTY OF COVINGTON**

**ANDALUSIA, ALABAMA
ANDALUSIA CITY HALL
August 20, 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

ABSENT:

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, Councilmember
Mark Christensen, City Attorney

ABSENT:

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 on August 6, 2019. Councilmember Griffin moved to approve the minutes. Councilmember Sconiers seconded the motion which passed unanimously.

COUNCIL APPROVES ORDINANCE NO. 2019 – 03, DECLARING CITY PROPERTY SURPLUS:

Mayor Johnson presented Ordinance No. 2019-03, Declaring City Property Surplus.

**THE CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

ORDINANCE NO. 2019- 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 within 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;

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

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

Beginning at the intersection of the South right-of-way of Church Street with the East right-of-way of Baisden Street in the SW¹/₄ of the SE¹/₄ of Section 18, Township 4 North, Range 16 East as the

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Point of Beginning; thence East 265.1 feet along Church Street; thence South 225.2 feet; thence West 90 feet; thence North 35 feet; thence West 166.8 feet to Baisden Street; thence North 185.1 feet along Baisden Street to the Point of Beginning (commonly known as the “Coke Plant”

on Church Street in Andalusia).

2. In order to enhance Andalusia as a destination for entertainment for the residents of Andalusia and the surrounding area, the property described above shall become a part of the downtown entertainment district subject to the special fees and assessments of The Capital Improvement Cooperative District of the City of Andalusia, Alabama, a domestic, non-profit corporation organized pursuant to

Code of Alabama § 11-99B-1 *et seq.* the address of which is 505 East Three Notch Street, Andalusia, AL 36420; the special fees and assessments shall be 2% of the gross sales each month (which shall be in addition to all other taxes assessed) on the premises, whether such sales are made directly by the owners of the property or by other businesses (food trucks, etc.) operating on the premises.

3. Pursuant to the authority granted by Section 11-47-20 of the Code of Alabama, the mayor of the City of Andalusia, Alabama, is hereby directed to execute a sales agreement for said property in the name of the City of Andalusia, Alabama upon the approval of the terms of a sales agreement by resolution of the City Council of the City of Andalusia, Alabama, and to execute a deed in consummation of said sales agreement.
4. This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED AND APPROVED this ____ day of _____, 2019.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl V. Johnson, Mayor

ATTEST:

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John M. Thompson, City Clerk/Treasurer

Councilmember Mount moved to approve Ordinance No. 2019-03. Councilmember Powell seconded the motion which passed unanimously

COUNCIL APPROVED RESOLUTION NO. 2019-27, COCA COLA BOTTLING PLANT PROJECT:

Mayor Johnson presented Resolution No. 2019-27, Coca Cola Bottling Plant Project.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2019 – 27

**A RESOLUTION TO AUTHORIZE PURCHASE AGREEMENT WITH
KIM AND KYLE BAUMGARTNER REGARDING THE OLD COKE PLANT
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 Kim and Kyle Baumgartner intend to open and operate a family-oriented, upscale venue, featuring a tap house that will serve craft beer, new-to-Andalusia food offerings, games, music, and other entertainment within the municipal limits of the City of Andalusia, and that the opening of said establishment in the City of Andalusia serves valid and sufficient public purposes including, but not limited to, expansion and enhancement the City's economic and tax base, thereby providing additional revenues for schools, municipal services, and other public needs, and increased employment opportunities within 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 surrounding areas; and

WHEREAS, Amendment 725 to the Constitution of Alabama 1901 provides that in promoting local economic development, the City Council may grant public moneys and things of value in aid to any individual, firm, association, corporation, or entity

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whatsoever; and

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

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 purchase contract and up to \$150,000.00 is hereby appropriated from contingency for the purposes expressed in said purchase contract;

AND BE IT FURTHER RESOLVED by the City Council of the City of Andalusia, Alabama, that \$50,000.00 is hereby appropriated from contingency to complete the architectural plans for the project approved above.

ADOPTED AND APPROVED this 20th day of August, 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. 2019-27. Councilmember Wells seconded the motion. Mayor Johnson called for a vote which produced the following:

YES:

Mayor Johnson
Councilmember Mount
Councilmember Wells
Councilmember Powell

NO:

Councilmember Griffin

ABSTAINED:

Councilmember Sconiers

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COUNCIL APPROVED RESOLUTION NO. 2019-28, ABATEMENT OF NUISANCE PROPERTIES:

Mayor Johnson presented Resolution No. 2019-28, Abatement of Nuisance Properties.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2019 – 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) | 622 Dunson St. | parcel # 1304192002030000 |
| 2) | 201 Astor Dr. | parcel # 1309302001027000 |

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 20th day of August, 2019

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl V. Johnson, Mayor

ATTEST:

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John M. Thompson, City Clerk/Treasurer

Councilmember Wells moved to approve Resolution No. 2019-28. Councilmember Powell seconded the motion which passed unanimously.

COUNCIL APPROVED RESOLUTION NO. 2019-29, ADOPTING AN ANNUAL TRANSPORTATION PLAN NECESSARY TO ACCEPT NEW FUEL TAXES FROM THE STATE OF ALABAMA:

Mayor Johnson presented Resolution No. 2019-29, Adopting an Annual Transportation Plan necessary to accept new fuel taxes from the State of Alabama.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA
RESOLUTION NO. 2019 - 29**

FY 2020 City of Andalusia Transportation Plan

In accordance with the Rebuild Alabama Act signed into law March 12, 2019, the City of Andalusia hereby adopts this annual Transportation Plan to use the estimated revenues of \$44,856 anticipated from the Rebuild Alabama Act (Fuel Bill) fund during the 2020 fiscal year to: perform roadway improvements, repairs, resurfacing, reconstruction or maintenance of Moore Road, East Three Notch Street, and Coleman Avenue; and/or as match monies for any state or federal grant-funded projects to perform roadway improvements, repairs, resurfacing, reconstruction or maintenance within our existing street/road network during said fiscal year.

ADOPTED AND APPROVED this 20th day of August 2019.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____

Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk/Treasurer

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Councilmember Sconiers moved to approve Resolution No. 2019-28. 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 M. Thompson, City Clerk/Treasurer