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**STATE OF ALABAMA  
COUNTY OF COVINGTON**

**ANDALUSIA, ALABAMA  
ANDALUSIA CITY HALL  
JUNE 20, 2023, 6:00 PM**

**REGULAR WORK SESSION MEETING**

**PRESENT:**

Earl V. Johnson, Mayor  
Joe Nix, Councilmember  
Kenneth C. Mount, Councilmember  
Presley Boswell, Councilmember  
Terry Powell, Councilmember  
Mark Christensen, City Attorney

**ABSENT:**

Hazel Griffin, Councilmember

The City Council of the City of Andalusia, Alabama, met in the third-floor conference room at the 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  
Joe Nix, Councilmember  
Kenneth C. Mount, Councilmember  
Presley Boswell, Councilmember  
Terry Powell, Councilmember  
Mark Christensen, City Attorney

**ABSENT:**

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Hazel Griffin, Councilmember

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

**APPROVAL OF MINUTES:**

Mayor Johnson presented the minutes from the regular meeting on June 6, 2023. Councilmember Mount moved to approve the minutes. Councilmember Powell seconded the motion, which passed unanimously.

**COUNCIL APPROVES RESCHEDULING JULY 4, 2023, REGULAR COUNCIL MEETING:**

Mayor Johnson requested that the July 4, 2023, regular council meeting be rescheduled for July 5, 2023, due to a holiday. Councilmember Powell moved to reschedule the July 4, 2023 Regular Council meeting to Wednesday, July 5, 2023. Councilmember Nix seconded the motion, which passed unanimously.

**COUNCIL APPROVES CANDYLAND 2023 DECORATIONS:**

Mayor Johnson presented a request for additional lights, decorations, and accessories for Candyland 2021. Councilmember Boswell moved to authorize the procurement of the new items and to appropriate \$121,449.00 from capital improvement to complete the purchase. Councilmember Powell seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2023-36, ABATEMENT OF NUISANCE PROPERTIES :**

Mayor Johnson presented Resolution No. 2023-36, Abatement of Nuisance Properties.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2023-36**

**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

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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) | 510 Ellis Street     | parcel # 1304181005007000 |
| 2) | 504 Eighth Avenue    | parcel # 1304181009011000 |
| 3) | 105 Chickasaw Street | parcel # 1406131003026000 |
| 4) | 205 Chickasaw Street | parcel # 1406131003028000 |
| 5) | 205 Cherokee Street  | parcel # 1406131003013000 |
| 6) | 318 Fletcher Avenue  | parcel # 1401124004028000 |
| 7) | 1208 Snowden Drive   | parcel # 1406244001023000 |

**BE IT FURTHER RESOLVED** that the City Council hereby authorizes the Building Inspector to proceed with the abatement of these nuisances as authorized under the State of Alabama Act. No. 94-540 as adopted by the City of Andalusia.

**ADOPTED AND APPROVED** this 20<sup>th</sup> day of June 2023.

**THE CITY OF ANDALUSIA, ALABAMA**

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

**ATTEST:**

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

Councilmember Mount moved to approve Resolution No. 2023-36. Councilmember Nix seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2023-37, AUTHORIZING SALES TAX REBATE AND CONTRACT WITH SAINT'S CAFÉ :**

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Mayor Johnson presented Resolution No. 2023-37, Authorizing Sales Tax Rebate and Contract with Saint's Café.

**THE CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2023-37**

**A RESOLUTION TO REBATE OF A PORTION OF THE SALES TAXES  
GENERATED BY SAINTS CAFÉ 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 Saints Café, LLC's operation of a restaurant on the LBW Campus known as Saints Café by is a benefit to the City of Andalusia and the residents of Andalusia and the surrounding area in that it provides an additional dining option, creates jobs, and generates sales taxes; and

**WHEREAS**, Saints Café, LLC has also made a substantial investment in the restaurant and intends to invest further sums in upgrading the restaurant; and

**WHEREAS**, the City Council also finds that the encouragement of success of the restaurant by abating a portion of the City's share of sales taxes generated by the restaurant amounting to one and one-half percent (1.5%) of the sales at said restaurant for three (3) years will also serve a valid and sufficient public purpose 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, dining, and other 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

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and things of value in aid to any individual, firm, association, corporation, or entity whatsoever upon a finding that such expenditure will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to a private entity; and

**WHEREAS**, the City Council finds that the proper notice required by Amendment 725 to the Constitution of Alabama 1901 has been made and that this matter is being taken up at a public meeting; and

**WHEREAS**, the City Council finds that the sales tax rebate listed above will serve valid and sufficient public purposes notwithstanding any incidental benefit that might accrue to Saints Café, LLC; and

**WHEREAS**, the City Council finds that the agreement 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 Agreement for the purposes expressed therein.

**ADOPTED AND APPROVED** this 20<sup>th</sup> day of June, 2023.

**THE CITY OF ANDALUSIA**

**Earl V. Johnson, Mayor**

**ATTEST:**

**John M. Thompson, City Clerk-Treasurer**

Councilmember Powell moved to approve Resolution No. 2023-37. Councilmember Boswell seconded the motion which passed unanimously.

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**COUNCIL APPROVES RESOLUTION NO. 2023-38, AUTHORIZING ANDALUSIA  
HIGH SCHOOL CAMPUS SIDEWALK PROJECT:**

Mayor Johnson presented Resolution No. 2023-38, Authorizing Andalusia High School Campus Sidewalk Project.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2023-38  
AWARD RESOLUTION**

**WHEREAS**, the City of Andalusia, plans to construct **Sidewalk Improvements - Project No. TAPAA-TA22(916)**, around the Andalusia High School Campus; and

**WHEREAS**, the City of Andalusia solicited bids and accepted proposals on June 15, 2023, in accordance with Alabama State Law, and on that date opened all bids in public and read them aloud; and

**WHEREAS**, the engineers have subsequently checked all bids received, and have recommended that the contract be awarded to the low bidder.

**NOW, THEREFORE, BE IT RESOLVED** that the contract for **Sidewalk Improvements - Project No. TAPAA-TA22(916)** be awarded to the low bidder contingent upon ALDOT's approval for the bid as follows:

**WIREGRASS CONSTRUCTION COMPANY, INC  
In the amount of \$1,295,915.50**

**BE IT FURTHER RESOLVED**, that the lighting portion of the project be removed and the amount of \$342,100 be deducted from the final contract so that the

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amended contract will be for \$953,815.50 with Wiregrass Construction Company.

Passed this 20<sup>th</sup> day of June 2023, by the City of Andalusia, Andalusia Alabama.

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John M. Thompson  
City Clerk-Treasurer

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Earl V. Johnson, Mayor

Councilmember Powell moved to approve Resolution No. 2023-38. Councilmember Nix seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2023-39, AUTHORIZING HENDERSON STREET AND COLEMAN AVENUE IMPROVEMENTS:**

Mayor Johnson presented Resolution No. 2023-39, Authorizing Henderson Street and Coleman Avenue Improvements.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2023-39**

**AWARD RESOLUTION**

**WHEREAS**, the City of Andalusia, plans to construct **Roadway Improvements – Project: Henderson St. Drainage Improvements/Coleman Ave. Expansion-Improvements**

**WHEREAS**, the City of Andalusia solicited bids and accepted proposals on June 15, 2023, in accordance with Alabama State Law, and on that date opened all bids in public and read them aloud, and

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**WHEREAS**, the engineers have subsequently checked all bids received, and have recommended that the contract be awarded to the low bidder.

**THEREFORE, BE IT RESOLVED** that the contract for **Roadway Improvements - Project: Henderson St. Drainage Improvements/Coleman Ave. Expansion-Improvements** be awarded to the low bidder of the Base Bid plus Additive Alternate No.1 as follows:

**BULLARD EXCAVATION, INC**  
**In the amount of \$543,997.00**

Passed this 20<sup>th</sup> day of June 2023, by the City of Andalusia, Andalusia Alabama.

\_\_\_\_\_  
John M. Thompson  
City Clerk-Treasurer

\_\_\_\_\_  
Earl V. Johnson, Mayor

Councilmember Nix moved to approve Resolution No. 2023-39. Councilmember Powell seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2023-40, AUTHORIZING PURCHASE OF POLICE EQUIPMENT WITH AMERICAN RESCUE PLAN FUNDS:**

Mayor Johnson presented Resolution No. 2023-40, Authorizing Purchase of Police Equipment with American Rescue Plan Funds.

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

**RESOLUTION NO. 2023-40**

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**A RESOLUTION AUTHORIZING THE ACQUISITION OF  
RADAR UNITS**

**WHEREAS**, the Secretary of the Treasury has issued the final rule to implement the Coronavirus State Fiscal Recovery Fund, and the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act; and

**WHEREAS**, the City has received such funds for qualified projects; and

**WHEREAS**, the City Council of the City of Andalusia, Alabama, finds that radar units in patrol vehicles need to be replaced; and

**WHEREAS**, City Council finds that the purchase of five (5) Dual Enhanced Radar Units and various accessories for a total of \$9,837.50 is reasonable and is below the limit of the Bid Law so that no bidding is necessary; and

**WHEREAS**, the City Council also finds that the purchase of such equipment will qualify as part of the standard allowance for the provision of government services to the extent of the reduction of the City's general revenue due to the COVID-19 public health emergency as provided by the Secretary of the Treasury's final rule, 31 Code of Federal Regulations § 35.6(d)(1);

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Andalusia, Alabama, that expenditure from the funds made available by the American Rescue Plan Act in the amount of \$9,837.50 for the purchase of five (5) radars for the Andalusia Police Department is hereby approved.

**ADOPTED AND APPROVED** this 20<sup>th</sup> day of June, 2023.

**THE CITY OF ANDALUSIA**

**ATTEST:**

**Earl V. Johnson, Mayor**

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**John M. Thompson, City Clerk-Treasurer**

Councilmember Boswell moved to approve Resolution 2023-40. Councilmember Mount seconded the motion which passed unanimously.

**COUNCIL APPROVES MARK MCINTYRE PROPOSAL TO REMOVE THE FORMER DRY CLEANERS AT 214 SOUTH COTTON STREET:**

Mayor Johnson presented a proposal from Mark McIntyre to remove the former dry cleaners at 214 South Cotton Street for \$35,190.00. Councilmember Nix moved to approve the proposal and to appropriate \$35,190.00 from Capital Improvement to complete the project. Councilmember Powell 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**