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**STATE OF ALABAMA  
COUNTY OF COVINGTON**

**ANDALUSIA, ALABAMA  
ANDALUSIA CITY HALL  
October 3, 2023, 6:00 PM**

**REGULAR WORK SESSION MEETING**

**PRESENT:**

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

**ABSENT:**

**REGULAR COUNCIL MEETING**

**PRESENT:**

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

**ABSENT:**

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

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**ANDALUSIA HIGH SCHOOL AMBASSADORS RECOGNIZED:**

Mayor Johnson recognized Jerri Stroud, Director of the Andalusia High School Ambassador Program, to introduce the 2023 – 2024 Andalusia High School Ambassadors to the Council. Ms. Stroud called each student's name and presented them to the Council. Mayor Johnson thanked Ms. Stroud and each ambassador for serving the city.

**APPROVAL OF MINUTES:**

Mayor Johnson presented the minutes from the regular meeting on September 5, 2023. Councilmember Mount moved to approve the minutes. Councilmember Nix seconded the motion, which passed unanimously.

**COUNCIL APPROVES BOARD AND COMMITTEE APPOINTMENTS:**

Mayor Johnson presented three candidates for reappointment to the Industrial Development Board: Ed Short, John Taylor, and Mike Ward. Mayor Johnson stated that the Council needed to extend the term of Elizabeth Woodard by one year to get all board members in the correct rotation. Councilmember Powell moved to reappoint Short, Taylor, and Ward to a six-year term and to extend Woodard's term by one year. Councilmember Boswell seconded the motion which passed unanimously.

Mayor Johnson presented three candidates for appointment to the Recreation Board. Mayor Johnson recommended that Billy Joe Stallworth and Emma Locke be reappointed to the board, and William A. (Billy) Bergfeld IV be appointed to the third open seat. Councilmember Griffin moved to appoint Stallworth, Locke, and Bergfeld. Councilmember Mount seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2023-58, ABATEMENT OF NUISANCE PROPERTIES:**

Mayor Johnson presented Resolution No. 2023-58, Abatement of Nuisance Properties.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2023-58**

**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

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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) | 504 East Watson Street   | parcel # 1304202204003000 |
| 2) | 809 South Three Notch St | parcel # 1304193001006000 |
| 3) | 220 Knox Street          | parcel # 1304202002002000 |
| 4) | 210 Lori Lane            | parcel # 1309292002025000 |
| 5) | 216 Lori Lane            | parcel # 1309292002027000 |

**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 3rd day of October 2023.

**THE CITY OF ANDALUSIA, ALABAMA**

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

**ATTEST:**

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

Councilmember Griffin moved to approve Resolution No. 2023-58. Councilmember Nix seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2023-59, CHANGE ORDER FOR  
HENDERSON STREET-COLEMAN AVENUE PROJECT:**

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Mayor Johnson presented Resolution No. 2023-59, a change order for the Henderson Street -Coleman Avenue Project.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION 2023 – 59**

**A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE HENDERSON  
STREET – COLEMAN AVENUE PROJECT**

**WHEREAS**, the City Council of the City of Andalusia awarded a construction contract to Bullard Excavation, Inc. for the Henderson Street – Coleman Avenue project in conjunction with the Andalusia High School Sidewalk Project in Resolution No. 2023 – 39, attached; and

**WHEREAS**, the Public Works Director of the City of Andalusia has reviewed the plans, inspected project progress on site, and recommends that a section of Henderson Street be resurfaced from First Avenue through Bradley Avenue, approximately 1,200 feet and that approximately 270 feet of curb and gutter in the same section be replaced.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA**, that \$60,000 be appropriated from the Capital Improvement Account to effectuate the change order on the Henderson Street – Coleman Avenue Project as described in this resolution.

**ADOPTED AND APPROVED** this 3<sup>rd</sup> day of October, 2023.

**THE CITY OF ANDALUSIA, ALABAMA**

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

**ATTEST:**

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

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Councilmember Powell moved to approve Resolution No. 2023-59. Councilmember Boswell seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2023-60, AUTHORIZING THE CITY ATTORNEY TO SEEK AN INJUNCTION IN A BUSINESS LICENSE/ABATEMENT VIOLATION:**

Mayor Johnson presented Resolution No. 2023-60, authorizing the City Attorney to seek an injunction in a business license/abatement violation.

**THE CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2023-60**

**RESOLUTION REGARDING ENFORCEMENT  
OF BUSINESS LICENSE REQUIREMENTS**

**WHEREAS**, the City of Andalusia requires the purchase of a business license in order to have the privilege of doing any kind of business within the municipal limits of the City, and Section 6-2 of the Code of Andalusia includes “the lease or rental of residential or nonresidential real estate” in its definition of doing business; and

**WHEREAS**, there is a property at 405 South Cotton Street within the City of Andalusia that is commonly called “the boardinghouse”; and

**WHEREAS**, said property is not zoned for a boarding or rooming house and has lost any “grandfathered” status as a nonconforming use prior to its purchase by the present owner by being unused for more than one (1) year as provided in Code of Andalusia Appendix, Article IX, Section 5; and

**WHEREAS**, the City cannot permit the purchase of a business license because the property is no longer permitted to be used as a boarding or rooming house because of the zoning; and

**WHEREAS**, boarding houses and rooming houses, where permitted by zoning, are also required to be certified by Code of Andalusia Section 13-80, but the property at 405 South Cotton Street cannot be certified because of numerous health and safety code violations; and

**WHEREAS**, the owner of the property at 405 South Cotton Street does not have a business license nor certification of the property but persists in using the property as a boarding or rooming house despite the best efforts of the Code Enforcement Officer and the Building Inspector;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Andalusia that the City Attorney is authorized to bring an action in Circuit Court to obtain and enforce injunctive relief against the owner of the property at 405 South Cotton Street, Andalusia, AL 36420.

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**ADOPTED AND APPROVED** this 3<sup>rd</sup> day of October, 2023.

**THE CITY OF ANDALUSIA**

**Earl V. Johnson, Mayor**

**ATTEST:**

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

Councilmember Powell moved to approve Resolution No. 2023-60. Councilmember Boswell seconded the motion which passed unanimously.

**COUNCIL APPROVES AGREEMENT FOR MUNICIPAL INMATE HOUSING:**

Mayor Johnson presented an inmate housing agreement by and between the Covington County Commission, the Sheriff of Covington County, and the City of Andalusia. Councilmember Powell moved to approve the contract and to authorize the mayor to sign it. Councilmember Boswell seconded the motion which passed unanimously.

**COUNCIL APPROVES HR2023-003, POLICE DEPARTMENT STRENGTH PLAN AMENDMENTS:**

Mayor Johnson presented HR2023-003, Police Department Strength Plan Amendments. Councilmember Griffin moved to approve HR2023-003. Councilmember Nix 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**

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**ATTEST:**

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