

PAGE ONE

**STATE OF ALABAMA
COUNTY OF COVINGTON**

**ANDALUSIA, ALABAMA
ANDALUSIA CITY HALL
November 7, 2023, 6:00 PM**

REGULAR WORK SESSION MEETING

PRESENT:

Earl V. Johnson, Mayor
Joe Nix, Councilmember
Kennith 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
Kennith 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 Griffin led the Prayer and Pledge of Allegiance to the flag.

PAGE TWO

APPROVAL OF MINUTES:

Mayor Johnson presented the minutes from the regular meeting on October 17, 2023. Councilmember Mount moved to approve the minutes. Councilmember Nix seconded the motion, which passed unanimously.

COUNCIL SUSPENSION OF BUSINESS LICENSE FOR MELLOW HAZE:

Mayor Johnson announced that the city council would consider the status of a suspended business license for Mellow Haze and asked City Attorney Mak Christensen to present his findings on the matter to the Council. Mr. Christensen introduced Officer Tyler Patterson, who presented the Andalusia Police Department's results of an investigation. APD received a tip that the business was selling marijuana and sent a retired police officer to buy the suspected substance. The Alabama Department of Forensic Sciences determined the substance was marijuana, and the APD secured a search warrant, which it executed on October 13, 2023. Since that time, the business has been closed as its business license was suspended. Patterson reported that the APD had sent 28 samples taken from Mellow Haze to the state lab. At this time, it has received results on nine of those samples, all of which were determined to be marijuana.

Attorney John Peek represented Mellow Haze. He argued that the business has documentation from its suppliers that the products are below the legal controlled substance limits for the state of Alabama. Because the Covington County Circuit court ordered the store's content seized, the business cannot reach those documents.

Chief Paul Hudson added that all marijuana is illegal in Alabama, and the state lab has determined the samples were marijuana.

Mayor Johnson announced the business license would remain suspended, the Council would take all of the information presented into consideration and revisit the matter again at its next regular meeting on November 21, 2023.

COUNCIL APPROVES RESOLUTION NO. 2023-62, ABATEMENT OF NUISANCE PROPERTIES:

Mayor Johnson presented Resolution No. 2023-62, Abatement of Nuisance Properties.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2023-62

PAGE THREE

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) | 105 Kathryn Street | parcel # 1304171007013001 |
| 2) | 608 Stanley Avenue | parcel # 1304201004031000 |

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 7th day of November 2023.

THE CITY OF ANDALUSIA, ALABAMA

BY: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk

Councilmember Griffin moved to approve Resolution No. 2023-62. Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2023-63, AUTHORIZING THE THIRD AVENUE TRANSPORTATION ALTERNATIVE PROGRAM PROJECT:

PAGE FOUR

Mayor Johnson presented Resolution No. 2023-63, Authorizing the Third Avenue Transportation Alternative Program Project.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION NO. 2023-63

**A RESOLUTION AUTHORIZING THE THIRD AVENUE TRANSPORTATION
ALTERNATIVES PROGRAM PROJECT**

BE IT RESOLVED, by the City of Andalusia as follows:

That the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, relating to a project for:

Sidewalk improvements along 3rd Ave. from 3rd St. to East Three Notch St.;
Project# TAPUC-TA24(927); CPMS Ref# 1000077834.

Which agreement is before this Council, and that the agreement be executed in the name of the City, by the Mayor for and on its behalf, and that it be attested by the City Clerk and the official seal fo the City be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and acting Clerk of the City of Andalusia, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City named therein, at a regular meeting of such Council held on the 7th day of November, 2023, and that such resolution is on file in the City Clerk's Office.

ATTESTED:

City Clerk

Mayor

_____ day of _____, 20____, and that such resolution is of record in the Minute Book of the City.

PAGE FIVE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this _____ day of _____, 20____.

City Clerk

(AFFIX SEAL)

Councilmember Boswell moved to approve Resolution No. 2023-63. Councilmember Powell seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2023-64, AUTHORIZING APPLICATION FOR ATRIP II BROOKLYN ROAD INTERSECTION/RE-ALIGNMENT:

Mayor Johnson presented Resolution No. 2023-64, Authorizing Application for ATRIP II Brooklyn Road Intersection/Re-Alignment.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA
RESOLUTION NO. 2023 – 64**

**A RESOLUTION AUTHORIZING A JOINT ALABAMA TRANSPORTATION
REHABILITATION AND IMPROVEMENT PROGRAM II APPLICATION WITH THE
ALABAMA DEPARTMENT OF TRANSPORTATION**

WHEREAS, the City of Andalusia is committed to rehabilitating and improving local transportation infrastructure; and

WHEREAS, the City of Andalusia is committed to addressing critical needs in transportation safety and connectivity for its citizens; and

WHEREAS, the City of Andalusia and Covington County desire to make a joint application to the Alabama Department of Transportation for an Alabama Transportation (ATRIP) Program II Grant for the Brooklyn Road, South Three Notch Street Intersection/Re-alignment at West Bypass, in Andalusia.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Andalusia, Alabama, hereby authorizes the joint application and its Mayor to act in connection with the application and to provide such additional information to ALDOT as may be required.

PAGE SIX

BE IT FURTHER RESOLVED, that the City of Andalusia and Covington County agree to jointly share all expenses not covered by Grant Funds in the project.

ADOPTED AND APPROVED this 7th day of November, 2023

THE CITY OF ANDALUSIA, ALABAMA

BY: _____

Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk/Treasurer

Councilmember Powell moved to approve Resolution No. 2023-64. Councilmember Mount seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2023-65, HERITAGE PARK PROJECT:

Mayor Johnson presented Resolution No. 2023-65, Heritage Park Project.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION 2023 – 65

**A RESOLUTION AUTHORIZING CONTINUED CONSTRUCTION OF A PARK IN
DOWNTOWN ANDALUSIA**

WHEREAS, the City Council of the City of Andalusia approved Resolution No. 2023-28, on May 16, 2023, authorizing the construction of Heritage Park and appropriating \$100,000 toward construction expenses.

PAGE SEVEN

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA, that \$150,000 be appropriated from the 2022 Series A Bond Account for the continued construction of the Heritage Park.

ADOPTED AND APPROVED this 7th day of November, 2023.

THE CITY OF ANDALUSIA, ALABAMA

By: _____
Earl V. Johnson, Mayor

ATTEST:

John M. Thompson, City Clerk-Treasurer

Councilmember Powell moved to approve Resolution No. 2023-65. Councilmember Boswell seconded the motion which passed unanimously.

COUNCIL APPROVES RESOLUTION NO. 2023-66, SURPLUS POLICE DEPARTMENT EQUIPMENT:

Mayor Johnson presented Resolution No. 2023-66, Surplus Police Department Equipment.

**CITY OF ANDALUSIA
ANDALUSIA, ALABAMA**

RESOLUTION 2023 – 66

WHEREAS, the City of Andalusia, Alabama, has inventoried its equipment and found the following equipment to be unneeded for municipal public purposes:

Five (5) Patrol Eyes Body Cameras and one (1) docking station.

PAGE EIGHT

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Andalusia, Alabama, that said equipment listed above is no longer needed for municipal public purposes and that the Mayor and City Clerk are hereby authorized to sell or otherwise dispose of said surplus property.

ADOPTED AND APPROVED this 7th day of November, 2023.

ALABAMA

THE CITY OF ANDALUSIA,

By: _____
Earl V. Johnson, Mayor

ATTEST:

John Thompson, City Clerk-Treasurer

Councilmember Nix moved to approve Resolution No. 2023-66. Councilmember Griffin 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