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**STATE OF ALABAMA  
COUNTY OF COVINGTON**

**ANDALUSIA, ALABAMA  
ANDALUSIA CITY HALL  
September 3, 2024, 6:00 PM**

**REGULAR WORK SESSION MEETING**

**PRESENT:**

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

**ABSENT:**

Earl V. Johnson, Mayor

**REGULAR COUNCIL MEETING**

**PRESENT:**

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

**ABSENT:**

Earl V. Johnson, Mayor

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

**APPROVAL OF MINUTES:**

Mayor Pro Tempore Powell presented the minutes from the regular meeting on August 20, 2024. Councilmember Mount moved to approve the minutes. Councilmember Nix seconded the motion, which passed unanimously.

**MAYOR PRO TEMPORE POWELL PRESENTED ORDINANCE NO. 2024-08,  
AMENDING GARBAGE AND TRASH COLLECTION AND LANDFILL FEES:**

Mayor Pro Tempore Powell presented Ordinance No. 2024-08, Amending Garbage and Trash Collection and Landfill Fees.

**THE CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**ORDINANCE NO. 2024 - 08**

**AN ORDINANCE AMENDING GARBAGE AND TRASH COLLECTION AND  
LANDFILL FEES**

**BE IT ORDAINED** by the City Council of the City of Andalusia, Alabama, that effective October 1, 2024, Section 14 – 111, (e) (f) and (g), be amended as follows:

(e) In order to provide for the health and welfare of the citizens of the city, there is hereby levied a service fee to defray the expense of collection, hauling, and disposal of garbage, trash, rubbish and other refuse within the residential areas, together with the costs and expenses incurred in the collection of fees provided for and the enforcement of this article in such areas as follows: Upon every person who is the occupant of a dwelling unit containing usual and ordinary kitchen facilities, other than apartments and multifamily dwellings classified as business establishments by section 14-110, defining "business establishment," and upon every person operating a business establishment as designated by the director of sanitation pursuant to subsection (c) of this section, fee as outlined per wheeled container per month per dwelling unit and business establishment:

Those customers residing on a city garbage pickup route, per month, per wheeled container  
..... \$25.00

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(f) In order to provide for the health and welfare of the citizens of the city, there is hereby levied a service fee to defray the expense of collection, hauling and disposal of garbage, trash, rubbish and other refuse within the areas of business establishments of the city, together with the costs and expenses incurred in the collection of fees provided for, and the enforcement of those provisions in such areas as follows: Upon every person operating a business establishment as defined in section 14-110 (except those designated for residential service pursuant to subsection (c) of this section or those utilizing another licensed commercial garbage pickup service), a service fee per month per business establishment to be determined per the following schedule:  
TABLE INSET:

Service	Monthly Fee
(1) For all establishments which require five (5) pickups per week	\$ 411.25
(2) For all establishments which require four (4) pickups per week	\$ 330.00
(3) For all establishments which require three (3) pickups per week	\$ 248.75
(4) For all establishments which require two (2) pickups per week	\$ 165.00
(5) For all establishments which require one (1) pickup per week	\$ 83.75

(6) Exceptions to this section shall be granted upon request and in accordance with Code of Ala. 1975, Section 22-27-3.

(g) Anyone desiring to use the construction/demolition (C/D) landfill for the purpose of dumping or disposing of refuse in accordance with the landfill permit shall:

(1) Make application for a permit to do so, which application shall be prepared by the director of sanitation and which shall require information regarding the nature, quantity and address of generation of the refuse; upon receipt of such application if the director of sanitation, or the director's designated agent, determines that such refuse may be dumped without detriment to the C/D Landfill or the city, dumping will be permitted. The following fees will apply to all refuse dumped:

a. Two dollars (\$2.50) per hundred weight with a minimum charge of twenty dollars (\$25.00). All weights will be rounded up to the next hundred-pound measure.

b. The dumping of automotive, truck or equipment tires is prohibited inside the city limits, either on private or public property. See section 14-126 herein.

c. There will be no charge required for refuse brought to the C/D Landfill furnished by the city for disposal by the person generating such refuse, provided such refuse in its entirety was generated from within the corporate limits, and such was generated by a subscriber to the city sanitation department collection services at the address for which garbage pickup fees are paid by the subscriber. Further, such free dumping will be allowed only for pickup truck loads or smaller and will apply only to residential-type refuse and not to commercial or construction-type refuse or debris.

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In order for subscribers to the city garbage service to dump free at the landfill as outlined above, they must present to the landfill personnel a current utility bill showing payment for city garbage services before dumping. Also, a current driver's license must be presented to identify that person as the citizen paying for the garbage service outlined on the utility bill presented to the landfill personnel.

(2) All persons desiring garbage, rubbish, and refuse collection, hauling, and disposal service from the sanitation department of the city shall make application therefor to the city clerk specifying the service required and agreeing to pay when due the proper charge for such service until the sanitation department has been notified to discontinue service. The application for service shall be in such form as may be prescribed by the city clerk. All existing subscribers are considered applicants.

(3) All persons desiring rubbish and refuse collection, hauling, and disposal service from the sanitation department for items such as tree limbs, trees, old appliances, or similar materials which are permitted to be hauled and disposed of under this section, shall pay the following fees for such services:

- a. On any special call for pickup service, per load ..... \$113.75
- b. For trash pickup in excess of one (1) load, when picked up on the normal trash pickup route, per load (with a minimum charge of \$56.25 for less than a full load) ..... \$113.75
- c. It shall not be the city's responsibility to remove debris resulting from any type of contractor work on buildings nor from removal of trees.

**BE IT FURTHER ORDAINED THAT** in all other respects that the Code of Andalusia, as previously adopted, shall remain in full force and effect and that this amendment shall become effective upon publication as required by law.

**ADOPTED AND APPROVED** this 3<sup>rd</sup> day of September, 2024.

**THE CITY OF ANDALUSIA, ALABAMA**

ATTEST:

\_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

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

Councilmember Boswell moved to approve Ordinance No. 2024-08. Councilmember Mount seconded the motion, which passed unanimously.

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**MAYOR PRO TEMPORE POWELL PRESENTED ORDINANCE NO. 2024-09,  
REZONING, 1103 RIVERFALLS STREET ANDALUSIA, AL:**

Mayor Pro Tempore Powell presented Ordinance No. 2024-09, Rezoning, 1103 Riverfalls Street Andalusia, Al.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**ORDINANCE NO. 2024-09**

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

**Section I.** That the Zoning Ordinance of the City of Andalusia, Alabama, as adopted on November 2, 2007, be and the same hereby is amended as follows:

- (a) The following described lots or parcels of land presently zoned **R-3** is hereby reclassified and rezoned as **B-3** property as that classification is described and fixed in the existing Zoning Ordinance of the City of Andalusia, Alabama, on file in the office of the City Clerk of Andalusia:

*LT 1 BLK D SEMINOLE HEIGHTS PLAT BK 2 S13 T4 R15, ALSO LOTS 8 & 9  
BLK D LESS HWY R/W and LOT 7 BLK D SEMINOLE HEIGHTS SEC 13 T4N  
R15E,*

*Also known as parcel numbers 23 14 06 13 1 003 023.000 and 23 14 06 13 1 003  
032.00.*

**Section II.** This Amending Ordinance is adopted upon recommendation of the Planning Commission of the City of Andalusia, Alabama.

**Section III.** In all other respects said Zoning Ordinance of the City of Andalusia, Alabama, shall remain in full force and effect, and shall remain unchanged except as set forth in this Amending Ordinance.

**ADOPTED AND APPROVED** this 3<sup>rd</sup> day of September, 2024.

**THE CITY OF ANDALUSIA, ALABAMA**

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**BY:** \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

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

Councilmember Nix moved to approve Ordinance No. 2024-09. Councilmember Boswell seconded the motion, which passed unanimously.

**MAYOR PRO TEMPORE POWELL PRESENTED ORDINANCE NO. 2024-10,  
REZONING, 1508 EAST THREE NOTCH STREET ANDALUSIA, AL:**

Mayor Pro Tempore Powell presented Ordinance No. 2024-10, Rezoning, 1508 East Three Notch Street Andalusia, Al.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**ORDINANCE NO. 2024-10**

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

**Section I.** That the Zoning Ordinance of the City of Andalusia, Alabama, as adopted on November 2, 2007, be and the same hereby is amended as follows:

- (b) The following described lots or parcels of land presently zoned **R-1** is hereby reclassified and rezoned as **B-1** property as that classification is described and fixed in the existing Zoning Ordinance of the City of Andalusia, Alabama, on file in the office of the City Clerk of Andalusia:

*BEG @ COR LOT 4 MONTEZUMA COURTS SUB SEC 16 T4N R16E PB 2 PG 41 POB; TH NE-99.5' ALG NW R/W WEANT ST; NW-296.4' TO SE R/W E 3 NOTCH ST; SW-70' (S) ALG SE R/W; SE-160'; SW-75'; SE-150' TO POB. LYING PARTLY IN SEC 17 T4N R16 located at 1508 East Three Notch Street in the City of Andalusia, Alabama, as recorded in the Judge of Probate of Covington County, Alabama.*

*Also known as parcel numbers 23 13 05 16 2 003 008.002.*

**Section II.** This Amending Ordinance is adopted upon recommendation of the Planning

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Commission of the City of Andalusia, Alabama.

**Section III.** In all other respects said Zoning Ordinance of the City of Andalusia, Alabama, shall remain in full force and effect, and shall remain unchanged except as set forth in this Amending Ordinance.

**ADOPTED AND APPROVED** this 3<sup>rd</sup> day of September, 2024.

**ALABAMA**

**THE CITY OF ANDALUSIA,**

**BY:** \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

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

Councilmember Nix moved to approve Ordinance No. 2024-10. Councilmember Boswell seconded the motion, which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2024-43, APPROVING HERITAGE PARK APPROPRIATION:**

Mayor Pro Tempore Powell presented Resolution No. 2024-43, approving Heritage Park's appropriation.

**THE CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION 2024-43**

**A RESOLUTION ALLOCATING FUNDING FOR HERITAGE PARK**

**WHEREAS,** the City of Andalusia desires to make improvements to the downtown Heritage Park; and

**WHEREAS,** the next phase of development requires the purchase of additional dirt to be spread and compacted in the park; and

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**WHEREAS**, the City of Andalusia has a contract with Edwin McIntyre Co. Inc. for assistance for the Public Works Department to do such work;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA**, that \$100,000 be appropriated for the purchase of materials and for contract labor, and that the \$100,000 be appropriated from the 2022 Series A Bond Account for the Heritage Park improvements.

**ADOPTED AND APPROVED** this 3<sup>rd</sup> day of September, 2024.

**THE CITY OF ANDALUSIA, ALABAMA**

**By:** \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

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

Councilmember Griffin moved to approve Resolution No. 2024-43. Councilmember Mount seconded the motion, which passed unanimously.

**COUNCIL APPROVES FINANCIAL STATEMENTS:**

Mayor Pro Tempore Powell announced that the council received an audit report, of the City's Financial Statement for the Fiscal year 2023, from Rabren, Odom, Pierce, and Hayes. Councilmember Griffin moved to approve the audit report and to have it permanently affixed to the official record, minutes of the Andalusia City Council. Councilmember Nix seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2024-44, APPROVING FY 2025 BUDGET:**

Mayor Pro Tempore Powell presented Resolution No. 2024-44, approving the FY 2025 Budget.

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**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA  
RESOLUTION 2024-44**

**BE IT RESOLVED** by the City Council of the City of Andalusia, Alabama, that the following budget be adopted:

**FY 2025 Budget  
City of Andalusia Funds**

Total Revenues and Cash from all Sources	\$28,799,000
Total Operating Expenses	\$27,520,207
Total Capital Expenditures	\$ 40,000
Contingency	\$ 214,793
Capital Improvement	\$ 1,024,000
Difference in Revenues and Expenditures	\$ -0-

Special Funds

Total Revenues and Cash from all Sources	\$ 502,190
Total Expenditures	\$ 502,190
Difference in Revenues and Expenditures	\$ -0-

**BE IT FURTHER RESOLVED**, that the following guidelines be adopted and implemented in accordance with budget expenditures made under the authority of this budget for FY 2025:

- 1) No vacant positions, including temporary, will be filled without approval of the Mayor.
- 2) Department Heads will approve overtime only when necessary.
- 3) The Treasurer is authorized and directed to pay all expenditures during the 2025 fiscal year.
- 4) Departmental expenditures must not exceed those authorized by this budget.

**ADOPTED AND APPROVED** this 3rd day of September 2024.

**THE CITY OF ANDALUSIA, ALABAMA**

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**BY:** \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

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

Councilmember Mount moved to approve Resolution No. 2024-44. Councilmember Boswell seconded the motion, which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2024-45, ABATEMENT OF NUISANCE PROPERTIES:**

Mayor Pro Tempore Powell presented Resolution No. 2024-45, abatement of nuisance properties.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2024-45**

**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) | 317 Packer Avenue       | parcel # 1304183004037002 |
| 2) | 1203 West Bypass        | parcel # 1406244003028000 |
| 3) | 806 Whatley Street      | parcel # 1309301001001000 |
| 4) | 405 South Cotton Street | parcel # 1304191101035000 |

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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 the State of Alabama Act. No. 94-540 as adopted by the City of Andalusia.

**ADOPTED AND APPROVED** this 3<sup>rd</sup> day of September 2024.

**THE CITY OF ANDALUSIA, ALABAMA**

**BY:** \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

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

Councilmember Griffin moved to approve Resolution No. 2024-45. Councilmember Nix seconded the motion, which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2024-46, APPROVING FUNDS FROM THE 2022 BOND ISSUE FOR FIRE DEPARTMENT REHABILITATION:**

Mayor Pro Tempore Powell presented Resolution No. 2024-46, approving from the 2022 Bond Issue for Fire Department Rehabilitation.

**THE CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2024 – 46**

**A RESOLUTION APPROPRIATING FUNDS FROM THE 2022 BOND ISSUE FOR  
FIRE DEPARTMENT REHABILITATION**

**WHEREAS**, the City of Andalusia desires to make improvements to the Fire Station;  
and

**WHEREAS**, the City of Andalusia has issued the 2022 Series A General Obligation Warrants (Bonds) to finance various public projects.

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**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA** that \$40,000.00, be appropriated from the 2022 Series A Bond Account for the improvements at the Fire Department to complete the project.

**ADOPTED AND APPROVED this 3<sup>rd</sup> day of September 2024.**

**THE CITY OF ANDALUSIA, ALABAMA**

By: \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

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

Councilmember Boswell moved to approve Resolution No. 2024-46. Councilmember Mount seconded the motion, which passed unanimously.

**ADJOURNMENT:**

With no further business, Mayor Pro Tempore Powell called the meeting adjourned.

**THE CITY OF ANDALUSIA, ALABAMA**

By: \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

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