

**MEETING MINUTES
January 15, 2019**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, January 15, 2019 at 9:00 a.m. in the Council Chambers within the Public Safety Building located at 1111 Broad Street, Phenix City, Alabama. Upon roll call, the following members of Council were present: Councilmember Arthur L. Day, Jr., Councilmember Vickey Carter Johnson, Councilmember Steve Bailey, Councilmember R. Griff Gordy, and Mayor Eddie N. Lowe. Also present were: City Manager Wallace Hunter, City Clerk Melony Lee, and City Attorney Jimmy Graham.

Upon a quorum being established, Mayor Lowe called the meeting to order.

Reverend Robert Goodman with Summerville Baptist Church delivered the invocation.

Councilmember Day led the pledge of allegiance to the United States Flag.

City Manager Wallace Hunter and Human Resources Director Stephanie Chastain presented employee service recognitions to John Gibson (15 years), Michael Campbell (15 years), Freda Nathan (20 years), Jason Whitten (25 years), and William Czukor (30 years).

Mayor Lowe presented the regularly scheduled meeting minutes of the January 2, 2019 work session and the January 2, 2019 council meeting for approval. Councilmember Day moved to approve the minutes, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe stated there was no unfinished business to address at this time.

Mayor Lowe presented Resolution 2019-04 to be ratified in reference to declaring a Kenmore dishwasher as surplus to be transferred to Home Depot for disposal.

RESOLUTION NO. 2019-04

Councilmember Gordy moved to ratify the resolution, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to rescinding Resolution No. 2019-04.

RESOLUTION NO. 2019-05

Councilmember Day moved to approve the resolution, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to declaring a Kenmore dishwasher as surplus to be disposed of at the City Landfill.

RESOLUTION NO. 2019-06

Councilmember Johnson moved to approve the resolution, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to the satisfaction of a UDAG mortgage in the name of Jimmy Lee Foster and Yoneta Sha Foster.

RESOLUTION NO. 2019-07

Councilmember Gordy moved to approve the resolution, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to accepting a proposal from ADS Environmental Services to provide annual maintenance and wireless internet connection to its flow monitors in an amount not to exceed \$1,925.00.

RESOLUTION NO. 2019-08

Councilmember Day moved to approve the resolution, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to the satisfaction of a Special Assessment on property located at 1249 Pierce Road, Sandra G. Hutchins, Owner.

RESOLUTION NO. 2019-09

Councilmember Gordy moved to approve the resolution, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to the satisfaction of a Special Assessment on property located at 3 Trafford Trail, Jason M. & Billita J. Robinson, Owners.

RESOLUTION NO. 2019-10

Councilmember Day moved to approve the resolution, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to the satisfaction of a Special Assessment on property located at 301 21st Street, Faye Joyce Higgins, Owner.

RESOLUTION NO. 2019-11

Councilmember Johnson moved to approve the resolution, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to enter into a Right of Way acquisition agreement with Charles Norris, Owner.

RESOLUTION NO. 2019-12

Councilmember Day moved to approve the resolution, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing certain Post-Issuance matters related to \$9,310,000 Taxable Revenue Bonds, Series 2013-A issued by the City of Phenix City Downtown Redevelopment Authority.

RESOLUTION NO. 2019-13

Councilmember Day moved to approve the resolution, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented five (5) resolutions in reference to awarding bids for the demolition and removal of structures on the following properties:

1. 1312 17th Court – Miles Excavating - \$4,845.00

RESOLUTION NO. 2019-14

2. 1709 48th Street– Miles Excavating - \$3,225.00

RESOLUTION NO. 2019-15

3. 1018 4th Street South – Hall Demolition - \$4,900.00

RESOLUTION NO. 2019-16

4. 1043 4th Street South – Miles Excavating - \$2,428.00

RESOLUTION NO. 2019-17

5. 1045 4th Street South – Miles Excavating - \$2,428.00

RESOLUTION NO. 2019-18

Councilmember Day moved to approve the resolutions, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented four (4) Resolutions and Public Notices in reference to setting public hearings for the fixing of costs incurred by the City for demolition and/or removal of substandard buildings or structures located at:

1. 910 11th Avenue

RESOLUTION NO. 2019-19
PUBLIC NOTICE

2. 1110 16th Avenue

RESOLUTION NO. 2019-20
PUBLIC NOTICE

3. 1508 12th Place

RESOLUTION NO. 2019-21
PUBLIC NOTICE

4. 1605 Opelika Road

RESOLUTION NO. 2019-22
PUBLIC NOTICE

Councilmember Day moved to approve the resolutions and public notices, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to entering into a lease agreement with Best Copy Products, Inc. for a Sharp MX-5070V Networked Digital Color Copier for a total amount of \$7,061.76 for 36 months.

RESOLUTION NO. 2019-23

Councilmember Johnson moved to approve the resolution, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into a MOU agreement with Columbia Southern University to provide discounted tuition for city employees.

RESOLUTION NO. 2019-24

Councilmember Gordy moved to approve the resolution, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to declaring personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to Jason Whitten in recognition of his 25 years of public service.

RESOLUTION NO. 2019-25

Councilmember Day moved to approve the resolution, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into a contract agreement with the Lee County Commission for Professional Services.

RESOLUTION NO. 2019-26

Councilmember Johnson moved to approve the resolution, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, Alabama filed by Carl Oakley, 415 21st Avenue, Phenix City, Alabama. City Attorney Jimmy Graham stated that on December 18th Mr. Oakley's sewer line burst when the city crew was working on a damaged fire hydrant near his property. City Attorney Graham stated that the Utilities Department investigated and found that the city crew did work on the fire hydrant near his property. City Attorney Jimmy Graham advised the Utilities Department did report Mr. Oakley called in a sewer stoppage; the department conducted an investigation, and found that it appeared the city crew may have damaged Mr. Oakley's service line when the heavy equipment used in repair of the hydrant drove over the line. Mr. Graham further stated the City crews repaired the service line on January 4, 2019. City Attorney Graham recommended paying the claim in the amount of \$300.00. Councilmember Johnson moved to approve the City Attorney's recommendation to pay the claim in the amount of \$300.00, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, Alabama filed by Douglas Rivers/Raven Simone (driver), 13 Kalin Street, Phenix City, Alabama. City Attorney Jimmy Graham stated that the claim alleges that on November 27th, Raven Simone was driving down Highway 165 South and a stop sign was in the road; Ms. Simone could not stop and ran over the stop sign. City Attorney Jimmy Graham further advised that she later travelled back down Highway 165 and was able to locate the stop sign and called the Phenix City Police Department to come do a police report. City Attorney Graham also stated that the Engineering/Public Works Department investigated and found that the city is not responsible for

the stop sign because this is a State Highway. The claimant should file a claim with the Alabama Department of Transportation. City Attorney Graham recommended denying the claim. City Attorney Graham advised he would contact Mr. Rivers and explain he needs to file a claim with the Alabama Department of Transportation. Councilmember Day moved to approve the City Attorney's recommendation to deny the claim, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, Alabama filed by Morgan & Morgan, Attorneys at Law for Shuntavis Edmonds. City Attorney Jimmy Graham stated that on October 29th, Ms. Edmonds and her two sons were stopped in traffic headed south on 16th Avenue in Phenix City; suddenly without warning, a Phenix City employee driving a 2017 International 4000 street sweeper, begin to travel in reverse towards Ms. Edmonds' vehicle and collided with the front bumper of her vehicle resulting in personal injuries to Ms. Edmonds and her sons. City Attorney Jimmy Graham advised that Ms. Edmonds is seeking damages against the City of Phenix City for injuries caused by negligent conduct. City Attorney Graham further stated the Engineering/Public Works Department investigated and found that there was an accident by one of their employees on October 29, 2018 and the city is responsible for the damages. City Attorney Jimmy Graham recommended allowing the City Manager and himself to start negotiations with Morgan & Morgan on behalf of Shuntavis Edmonds. Councilmember Day moved to approve the City Attorney's recommendation to allow him and the City Manager to start negotiations with Morgan & Morgan on behalf of Shuntavis Edmonds, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, Alabama filed by Shunnarah Injury Lawyers, P.C. on behalf of Martha Jackson. City Attorney Jimmy Graham stated that the claim alleges that on June 23, 2018, while attending a graduation party at the Idle Hour Park Clubhouse, Ms. Jackson fell while going up the stairs and sustained injuries due to no handrails being in place. City Attorney Graham further stated that the Parks and Recreation Department investigated and found that there was a rental of the Clubhouse on June 23rd but no one from the department had any knowledge of the alleged incident occurring; nor was there a police report filed by anyone on this date referring to this rental or claim. City Attorney Graham recommended denying the claim due to no evidence of this claim occurring. Councilmember Johnson moved to approve the City Attorney's recommendation to deny the claim, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

City Manager Wallace Hunter congratulated Fire Chief Kris Kennedy on winning the Golden Axe Award. Mr. Hunter also advised Mayor and Council of any phone calls from Federal employees that needs assistance with utility bills should be directed to Police Chief Ray Smith who can get the individual in touch with the United Way to assist with their needs.

Human Resources Director Stephanie Chastain advised of the upcoming First Responders Task Force life insurance coverage meetings. The company offers \$5,000 coverage for First Responders and \$2,000 for all other city employees at no charge.

City Manager Wallace Hunter and Parks and Recreation Director Todd Hughes reminded everyone of the mother/son Blue Jean Ball on Saturday, February 9, 2019 at the Martin Idle Hour Park Community Center. Mr. Hughes advised the cap of people should be around two hundred and all the information is posted on the City website. Mr. Hughes also advised that the City will have a DJ playing music.

City Manager Wallace Hunter thanked all the Department Heads for their hard work and helping other agencies with activities to make Phenix City a better place for all organizations involved.

Mayor Lowe thanked all the Department Heads for their hard work and dedication.

Councilmember Johnson thanked the citizens of Phenix City. Councilmember Johnson reminded everyone of the Martin Luther King, Jr. holiday so do something great in the community to promote unity within our city.

Councilmember Bailey also reminded citizens of the Martin Luther King, Jr. holiday. Councilmember Bailey reflected on Mr. King's dream and it is continued today and the citizens need to help and support each other. Councilmember Bailey also thanked the department heads for their hard work and dedication.

Councilmember Day discussed keeping the city clean and reflected on other councilmembers comments on the Martin Luther King, Jr. holiday.

Mayor Lowe reminded the citizens of the State of the City Address on January 17th at 6:00 p.m. at the Martin-Idle Hour Park Community Center and encouraged all citizens to come to see how the city is using tax dollars to make improvements throughout the city. Mayor Lowe also thanked CTV-Beam for their hard work.

There being no further business to address, the meeting thus adjourned until 9:00 a.m. on February 5, 2019.