

**MEETING MINUTES  
February 20, 2019**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Wednesday, February 20, 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: Assistant City Manager Steve Smith, City Clerk Melony Lee, and City Attorney James McKoon. City Manager Wallace Hunter and City Attorney Jimmy Graham were not present.

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

Reverend Brady Baird with Summerville United Methodist Church delivered the invocation.

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

Kelsey Lanford of the MDA program presented the Golden Axe Award to the Phenix City Fire Department. Fire Chief Kristin Kennedy accepted the award.

Mayor Lowe presented the regularly scheduled meeting minutes of the February 4, 2019 work session and the February 5, 2019 council meeting minutes 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: Councilmember Bailey. The motion thus passed.

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

Mayor Lowe presented Resolution No. 2019-44 to be ratified in reference to authorizing and directing the Mayor and City Manager to enter into a Land Lease Agreement with the Phenix City Housing Authority for 6.67 acres located on 20<sup>th</sup> Avenue, in an amount not to exceed \$400,000.00.

**RESOLUTION NO. 2019-44**

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 passed.

Mayor Lowe presented Resolution No. 2019-45 to be ratified in reference to authorizing and directing the Mayor and City Manager to enter into a Right of Way acquisition agreement with John Dudley, Owner.

**RESOLUTION NO. 2019-45**

Councilmember Johnson moved to ratify 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 passed.

Mayor Lowe presented a resolution in reference to accepting the dedication of land, right-of-ways and easements dedicated by the Phenix City Tottens Map Block 304 Redivision of Lots 16 and 17 Section 22 T 17 N R 30, Raajikum Dasa, owners.

#### **RESOLUTION NO. 2019-46**

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 passed.

Mayor Lowe stated that now was the time and place for a public hearing in reference to the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon the following properties: 910 11<sup>th</sup> Avenue, 1110 16<sup>th</sup> Avenue, 1508 12<sup>th</sup> Place, and 1605 Opelika Road. Mayor Lowe stated anyone wishing to address council on any of the properties should come forward and do so at this time. Royzell Crawford and Carmen Farley came forward to discuss the property located at 910 11<sup>th</sup> Avenue. The property owners indicated they purchased the property at a tax sale in 2015. Ms. Farley stated they never received any correspondence for the property at 910 11<sup>th</sup> Avenue. Mayor Lowe stated that the City of Phenix City has to comply with the law and the State of Alabama and every process was followed. Building Inspector Gil Griffith stated that the required letters were sent out certified mail and the U.S. Postal Service showed that the letters were delivered on May 25, 2017. Mr. Griffith stated Ms. Farley called the Building Department and spoke with Brad Harrison the next day. Mr. Griffith stated he sent a letter out August 31, 2016 and the Postal Service showed that it was received via their website. Mr. Griffith stated that the City is only required by law to send out two letters. Mayor Lowe stated that legally the process has been followed and that is what the council has to go on. Councilmember Johnson inquired if the property has to remain as is for three years. Mr. Griffith stated there is a Right of Redemption for three years. Councilmember Johnson asked if property owners check on the property during the three years; Ms. Farley advised they cut the grass and boarded up the house. The structure was demolished 17 months after the three year Right of Redemption period; and the property owners had time to make repairs. Mr. Griffith gave Mr. Royzell Crawford and Carmen Farley the amount of the tax bill that is due on the property which is \$4,533.16. Neither hearing nor seeing anyone else come forward, Mayor Lowe declared the hearing closed.

Mayor Lowe presented four (4) Resolutions in reference to the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon properties located at:

1. 910 11<sup>th</sup> Avenue

#### **RESOLUTION NO. 2019-47**

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: Councilmember Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Johnson. The motion thus passed.

2. 1110 16<sup>th</sup> Avenue

**RESOLUTION NO. 2019-48**

3. 1508 12<sup>th</sup> Place

**RESOLUTION NO. 2019-49**

4. 1605 Opelika Road

**RESOLUTION NO. 2019-50**

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: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented four (4) Resolutions and Public Notices in reference to setting public hearings dates and fixing demolition associated with the following properties located in Phenix City:

1. 1403 9<sup>th</sup> Avenue

**RESOLUTION NO. 2019-51**  
**PUBLIC NOTICE**

2. 1819 18<sup>th</sup> Avenue

**RESOLUTION NO. 2019-52**  
**PUBLIC NOTICE**

3. 2807 9<sup>th</sup> Place

**RESOLUTION NO. 2019-53**  
**PUBLIC NOTICE**

4. 1603 13<sup>th</sup> Street

**RESOLUTION NO. 2019-54**  
**PUBLIC NOTICE**

Councilmember Gordy moved to approve the resolutions and public notices, 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 passed.

Mayor Lowe presented resolution in reference to the purchase of five (5) 2019 Chevrolet Tahoe from Donohoo Chevrolet in an amount not to exceed \$157,225.80.

**RESOLUTION NO. 2019-55**

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 passed.

Mayor Lowe presented a resolution in reference to declaring five vehicles as surplus to be sold to the highest bidder at a public auction or sold as scrap.

**RESOLUTION NO. 2019-56**

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: Councilmember Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to declaring several equipment items as surplus for disposal at the City landfill.

**RESOLUTION NO. 2019-57**

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: Councilmember Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for second reading an ordinance to amend Section 4.06 of the Merit System Rules and Regulations of the City of Phenix City, Alabama.

**ORDINANCE NO. 2019-02**

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

Mayor Lowe presented for second reading an ordinance to amend Section 9.01 of the Merit System Rules and Regulations of the City of Phenix City, Alabama.

**ORDINANCE NO. 2019-03**

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

Mayor Lowe presented one opening on the Personnel Review Board. Mayor Lowe called for nominations for the unexpired term of Lisa Dente. Councilmember Day nominated Mattie Arrington. There were no other nominations. Mayor Lowe called for a motion. Councilmember Gordy moved to appoint Mattie Arrington to the unexpired term of Lisa Dente,

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 passed.

Mayor Lowe presented one opening on the Planning Commission. Councilmember Day moved to table the unexpired opening, 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 passed.

Mayor Lowe presented an itemized statement of expense for Brian Waters of the Engineering Department in the amount of \$40.00. Councilmember Johnson moved to approve the itemized statement of expense, 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 passed.

Mayor Lowe presented a Notice of Claim against the City of Phenix City, Alabama filed by Michael Hostilo Attorney at Law for Justine Sandoval. Mayor Lowe stated there were unforeseen circumstances and City Attorney Jimmy Graham was not able to be present. Mayor asked that council table the Notice of Claim to allow City Attorney James McKoon to review the information. Mayor Lowe called for a motion. Councilmember Day moved to table the Notice of 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 passed.

Mayor Lowe thanked the Department Heads for their hard work.

Councilmember Day thanked everyone who participated in the Elected Officials Fellowship Luncheon on February 7, 2019. Councilmember Day thanked the State Delegates, Elective Officials, and Community Leaders that were present. Mr. Day thanked the City Clerk's Office and Parks and Recreation for their involvement as well. Councilmember Day also informed everyone that there will be a Town Hall Meeting held at Mother Mary Mission on Saturday, February 23, 2019. State Representative Jeremy Gray and Berry Forte will be present will be present at the Town Hall meeting.

Mayor Lowe thanked the Department Heads and CTV-Beam for their hard work and dedication. Mayor Lowe asked that everyone remember to love one another.

There being no further business to address, the meeting thus adjourned until March 5, 2019.