

**MEETING MINUTES
March 19, 2019**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, March 19, 2019 at 6:00 p.m. at the Martin-Idle Hour Park Community Center located at 3743 Moon Lake Drive, Phenix City, AL. 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 James McKoon. City Attorney Jimmy Graham was not present.

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

Reverend James A. Platt, of Allen Temple AME Church delivered the invocation.

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

Julie Garrett, Public Affairs Specialist with U. S. Small Business Administration's Office of Disaster Assistance made an announcement. Her organization works with FEMA and is available for Renters, Homeowners, Non-Profit Organizations, Churches, and Businesses. Ms. Garrett wanted to make citizens aware of the options that are available for those affected by the Tornado in Lee County that touched down on Sunday March 3, 2019. Ms. Garrett stated the citizens who were uninsured and or underinsured could seek assistance from the Tornado Recovery in Lee County with the exception of farmers. Services include a small loan to help with damage recovery at a low interest rate of 2.063%. Those affected must first register with FEMA. Mayor Lowe thanked Ms. Garrett for coming to address council.

Mayor Lowe presented the regularly scheduled meeting minutes of the March 4, 2019 work session for approval. Councilmember Day moved to approve the minutes, 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, and Mayor Lowe. NAYS: None. ABSTAIN: Councilmember Gordy. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the March 5, 2019 City Council Meeting for approval. Councilmember Gordy moved to approve the minutes, 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. ABSTAIN: None. The motion thus passed.

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

Mayor Lowe presented a resolution in reference to declaring the Improvement District of the City of Phenix City – Grand Reserve Project dissolved.

RESOLUTION NO. 2019-68

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

Mayor Lowe presented a resolution in reference to approving a quote from Herrington Paint Company to paint the interior of the Phenix City Municipal Building in an amount not to exceed \$38,970.00.

RESOLUTION NO. 2019-69

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 asked for the removal of a resolution in reference to authorizing the Mayor and City Manager to enter into a contract agreement with Creative Community Solutions for the sale of property located at 4206 Silver Terrace Court in the amount of \$100,000.00.

RESOLUTION

Councilmember Day moved to remove the resolution from the agenda, 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 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: 1403 9th Avenue, 1819 18th Avenue, 2807 9th Place, and 1603 13th Street. Mayor Lowe stated anyone wishing to address council on any of the properties should come forward and do so at this time. Neither hearing nor seeing anyone 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. 1403 9th Avenue

RESOLUTION NO. 2019-70

2. 1819 18th Avenue

RESOLUTION NO. 2019-71

3. 2807 9th Place

RESOLUTION NO. 2019-72

4. 1603 13th Street

RESOLUTION NO. 2019-73

Councilmember Johnson moved to approve the resolutions, 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 a resolution in reference to rescinding Resolution 2019-17 in reference to awarding a bid to Miles Excavating to remove a structure located at 1043 4th Street South in the amount of \$2,428.00.

RESOLUTION NO. 2019-74

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 passed.

Mayor Lowe presented a resolution in reference to accepting a bid from Hall Demolition to remove the existing structure located at 1043 4th Street South in an amount not to exceed \$2,495.00.

RESOLUTION NO. 2019-75

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 presented a resolution in reference to rescinding Resolution 2019-18 in reference to awarding a bid to Miles Excavating to remove a structure located at 1045 4th Street South in the amount of \$2,428.00.

RESOLUTION NO. 2019-76

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 passed.

Mayor Lowe presented a resolution in reference to accepting a bid from Hall Demolition to remove the existing structure located at 1045 4th Street South in an amount not to exceed \$2,495.00.

RESOLUTION NO. 2019-77

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 presented a resolution in reference to the satisfaction of a Special Assessment on Property located at 1233 13th Avenue, Thomas D. Roscoe, Owner.

RESOLUTION NO. 2019-78

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 presented a resolution in reference to authorizing the Mayor and City Manager to enter into a contract agreement with RobbMusic / Jennermusicgroup, LLC. For Bigg Robb to perform at the Amphitheater May 10, 2019 in an amount not to exceed \$8,500.00.

RESOLUTION NO. 2019-79

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

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into a contract agreement with Intrepid Artist for Honey Island Swamp Band to perform at the Amphitheater June 14, 2019 in an amount not to exceed \$2,000.00.

RESOLUTION NO. 2019-80

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

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into a contract agreement with Intrepid Artist for Empire Strikes Brass to perform at the Amphitheater June 14, 2019 in an amount not to exceed \$3,000.00.

RESOLUTION NO. 2019-81

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 authorizing the Mayor and City Manager to enter into a contract agreement with Intrepid Artist for Selwyn Birchwood to perform at the Amphitheater July 4, 2019 in an amount not to exceed \$2,000.00.

RESOLUTION NO. 2019-82

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

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 Darius Farley in recognition of his 18 years of public service.

RESOLUTION NO. 2019-83

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: 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 personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to Mike Toomey in recognition of his 22 years of public service.

RESOLUTION NO. 2019-84

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

Mayor Lowe presented for second reading an ordinance to amend the Code of Ordinance of the City of Phenix City, Alabama, Chapter 17, Article II, Rates and Charges, Section 17-17, Relating to Establishment of Water Rates Schedule, Article II. Section 17-18, Relating to Establishment of Sewer Rates Schedule, and Section 17-21, Relating to the Payment of Bills.

ORDINANCE NO. 2019-04

Councilmember Day 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: Councilmember Bailey. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for second reading an ordinance to amend the Code of Ordinance of the City of Phenix City, Alabama, Chapter 21, Licenses and Permits, Article 2.

ORDINANCE NO. 2019-05

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

Mayor Lowe presented three (3) openings on the Historic Preservation Commission Board. Mayor Lowe called for nominations. Councilmember Johnson nominated Jane Gilliam to the expired term of Annie Francis Kimber. Councilmember Gordy moved to appoint Jane Gilliam, 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 called for a motion to reappoint Steve Franklin. Councilmember Day moved to reappoint Steve Franklin, which 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 called for a motion to reappoint Dennis Jones . Councilmember Day moved to reappoint Dennis Jones, which 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 passed.

Mayor Lowe presented one opening on the Planning Commission, which he recommended tabling. Councilmember Gordy moved to table the appointment, 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 a resolution in reference to approving the final settlement in the matter of a lawsuit filed by State Farm Mutual Automobile Insurance Company for Joel Barlow in the amount of \$7,282.59.

RESOLUTION NO. 2019-85

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 passed.

Todd Hughes, Director of Parks and Recreation introduced new Golf Manager, Mike Barber.

City Manager Wallace Hunter also thanked the Department Heads for their hard work and dedication.

Mayor Lowe thanked City Attorneys McKoon and Graham for their commitment to the city.

Councilmember Bailey advised that he did not vote for the increase in Water and Sewer Rates because he couldn't fully stand behind it. Councilmember Bailey also stated that he voted against Sales and Use Tax from a personal and business stand point.

Councilmember Gordy advised that he did not vote in favor of the Sales and Use Tax. Councilmember Gordy stated that he felt the timing of the increases would be too much for the citizens at one time.

Councilmember Day stated that the increases will greatly impact the City of Phenix City infrastructure.

Mayor Lowe thanked the City Manager and council. Mayor Lowe stated that everyone will be able to see the results of their hard work and dedication. Mayor Lowe thanked CTV Beam for their dedication of recording the council meetings.

There being no further business to address, the meeting thus adjourned until April 2, 2019.