

**MEETING MINUTES
August 6, 2019**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, August 6, 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 of Summerville Baptist Church was not present to deliver the invocation. Mayor Lowe called upon Councilmember Gordy to deliver the invocation.

Councilmember Gordy 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 Tracey Roberts - 20 years, Christopher Ellis - 5 years, Timothy Huff – 25 years, Joshua Smith – 5 years (not present), Marc Wells – 15 years (not present), Tobias Boisvert – 5 years, Jeremy Pinto - 5 years, Jonathan Gordon – 5 years, Phyllis Pendleton – 25 years, Marcus Jones – 20 years, and Willie Eaton - 30 years (not present).

Mayor Lowe presented a proclamation recognizing Mason Hargrove.

PROCLAMATION

Mason Hargrove along with his family came forward to accept the proclamation.

Mayor Lowe presented the minutes of the July 8, 2019 and the July 9, 2019 Budget Work Session 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 passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the July 15, 2019 work session and the July 16, 2019 council meeting minutes for approval. Councilmember Johnson 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

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

Mayor Lowe presented Resolution No. 2019-195 to be ratified in reference to authorizing and directing the Mayor, City Manager, and Utilities Director to make an application for a CWSRF Loan Program for the Summerville Road Sanitary Sewer Extension Project.

RESOLUTION NO. 2019-195

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

Mayor Lowe presented Resolution No. 2019-196 to be ratified in reference to authorizing the Mayor and City Manager to enter into a Utility Relocation Agreement with CTV-Beam for the Opelika Road Bridge Replacement Project, Project No. ACAABRZ59582-ATRP (011).

RESOLUTION NO. 2019-196

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

Mayor Lowe presented Resolution No. 2019-197 to be ratified in reference to authorizing the Mayor and City Manager to enter into an agreement with the Russell County Commission, owners of Tract No. 1, to acquire a Temporary Construction Easement for the 14th Street Downtown Streetscapes and Accessibility Improvements Project, Project No. TAPPC-TA17(919).

RESOLUTION NO. 2019-197

Councilmember Day moved to ratify 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 Resolution No. 2019-198 to be ratified in reference to authorizing the Mayor and City Manager to enter into an agreement with Julia Gullatt Ezell, owner of Tract No. 2, to acquire a Temporary Construction Easement for the 14th Street Downtown Streetscapes and Accessibility Improvements Project, Project No. TAPPC-TA17 (919).

RESOLUTION NO. 2019-198

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

Mayor Lowe presented Resolution No. 2019-199 to be ratified in reference to authorizing the Mayor and City Manager to enter into an agreement with the Russell County Public Building Authority, owners of Tract No. 3, to acquire a Temporary Construction Easement for the 14th Street Downtown Streetscapes and Accessibility Improvements Project, Project No. TAPPC-TA17 (919).

RESOLUTION NO. 2019-199

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

Mayor Lowe presented Resolution No. 2019-200 to be ratified in reference to authorizing the Mayor and City Manager to enter into an agreement with the Russell County Public Building Authority, owners of Tract No. 4, to acquire a Temporary Construction Easement for the 14th Street Downtown Streetscapes and Accessibility Improvements Project, Project No. TAPPC-TA17 (919).

RESOLUTION NO. 2019-200

Councilmember Day moved to ratify 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 accepting the dedication of a sanitary sewer easement dedicated by the "Redivision of Lot 7, Block "J", Sherwood Subdivision", Michael S. Bowden, owner.

RESOLUTION NO. 2019-201

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 settlement in the matter of a lawsuit filed by Michael S. Linton vs. The City of Phenix City, Alabama, Case No. 57-CV-2018-900081.00.

RESOLUTION NO. 2019-202

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 reference to the settlement of a claim filed by Azar & Azar, LLC on behalf of USAA/Cedric Foster.

RESOLUTION NO. 2019-203

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 declared 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 properties located at: 1043 4th Street South and 1045 4th Street South. 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 two (2) 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. 1043 4th Street South

RESOLUTION NO. 2019-204

2. 1045 4th Street South

RESOLUTION NO. 2019-205

Councilmember Day moved to approve the resolutions, 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 four (4) resolutions in reference to awarding bids for the demolition and removal of structures on the following properties:

1. 227 Seale Road - C&C Transport & Demolition - \$3,100.00

RESOLUTION NO. 2019-206

2. 1605 South Railroad Street– Steward Contracting - \$3,200.00

RESOLUTION NO. 2019-207

3. 1303 2nd Street – C&C Transport & Demolition - \$2,000.00

RESOLUTION NO. 2019-208

4. 519 6th Street – Steward Contracting - \$3,227.00

RESOLUTION NO. 2019-209

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: 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 William T. Czukur in recognition of his 30 plus years of public service.

RESOLUTION NO. 2019-210

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 authorizing and directing the Mayor, City Manager, and Chief of Police to enter into a contract with the City of Auburn for Professional Services.

RESOLUTION NO. 2019-211

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 passed.

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

RESOLUTION NO. 2019-212

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 reference to authorizing the Mayor and City Manager to sign a lease agreement with Mail Finance for (1) one Folder/Inserter Machine for a monthly fee of \$1,223.91.

RESOLUTION NO. 2019-213

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 passed.

Mayor Lowe declared that now was the time and place for a public hearing regarding rezoning a 6.2 acre tract of land located at 3000 4th Avenue, 2904 4th Avenue, and 29th Street from a R-1 Zone to a R-1B Zone, River Trace, LLC (Michael Bowden) and Joseph Barker, owners. Anyone wishing to address council regarding this matter should come forward at this time. Neither hearing nor seeing anyone come forward, Mayor Lowe declared the hearing closed.

Mayor Lowe presented for second reading an ordinance to rezone a 6.2 acre tract of land located at 3000 4th Avenue, 2904 4th Avenue, and 29th Street from a R-1 Zone to a R-1B Zone, River Trace, LLC (Michael Bowden) and Joseph Barker, owners.

ORDINANCE NO. 2019-11

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

Mayor Lowe next declared that now was the time and place for a public hearing regarding rezoning a 1.21 acre tract of land located at 623 South Seale Road, 625 South Seale Road, and 627 South Seale Road, from a R-1 Zone to a C-3 Zone, Andrew & Alecia Young and AA&Y Future Investments, owners. Anyone wishing to address council regarding this matter should come forward at this time. Neither hearing nor seeing anyone come forward, Mayor Lowe declared the hearing closed.

Mayor Lowe presented for second reading an ordinance to rezone a 1.21 acre tract of land located at 623 South Seale Road, 625 South Seale Road, and 627 South Seale Road, from a R-1 Zone to a C-3 Zone, Andrew & Alecia Young and AA&Y Future Investments, owners.

ORDINANCE NO. 2019-12

Councilmember Gordy moved to approve the ordinance, 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 Equalization Board. Mayor Lowe called for three nominations. Councilmember Day nominated Gary Strong. Councilmember Johnson nominated Janet Goodwin. Councilmember Bailey nominated Joe Lewis. Mayor Lowe declared the nomination closed. Mayor Lowe called for a motion. Councilmember Gordy moved to approve all persons nominated, 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 one opening on the Phenix City Housing Authority Board. Mayor Lowe called for nominations for the unexpired term of the late Bobby Stallings. Councilmember Day nominated Noble Williams. There were no other nominations. Mayor Lowe called for a motion. Councilmember Gordy moved to appoint Noble Williams to the unexpired term of the late Bobby Stallings, 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 Phenix City Public Building Authority Board. Mayor Lowe called for nominations. Councilmember Bailey nominated Judy Senns. There

were no other nominations. Mayor Lowe called for a motion. Councilmember Gordy moved to appoint Judy Senns, 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 for second reading an application for an On Premise Beer License, On Premise Wine License, On Premise Whiskey/Wine License, Billiard or Pool Room License, and Dancing/Live Band License submitted by Debra Hackett for Chesapeakeway LLC dba AJ's Bar & Grill located at 1700 280 East, Phenix City, Alabama. Councilmember Johnson moved to approve the applications, 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 an application for an On Premise Beer License and an On Premise Whiskey/Wine License submitted by Alonzo Cliatt for Medtech LLC dba Bamaque located at 209 Seale Rd, Phenix City, Alabama. Councilmember Gordy moved to place the applications on first reading, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented an Itemized Statement of Expense from Shaun Culligan (Economic Development) in the amount of \$123.05. Mayor Lowe called for a vote approving the Itemized Statement of Expense. 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: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe Presented an Itemized Statement of Expense from Sierra McKissic (Engineering Department) in the amount of \$154.52. Mayor Lowe called for a vote approving the Itemized Statement of Expense. Councilmember Gordy moved to approve the Itemized Statement of Expense, 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.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, Alabama filed by Mr. Vincent Horton. City Attorney Jimmy Graham stated that Mr. Horton stated in a prior claim that his main sewer line was clogged and the shut off valve that was put in by the City was not working. City Attorney Graham recommended paying the claim in the amount of \$686.00. Councilmember Day moved to approve the City Attorney's recommendation to approve the claim in the amount of \$686.00, 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 passed.

City Manager Wallace Hunter thanked Todd Hughes, Parks and Recreation and all the Departments that are helping with the Cal Ripken World Series Baseball Tournament that is currently going on in the City.

City Attorney Jimmy Graham stated that he has attended a few games at the tournament and that the City is getting nothing but positive reviews.

Councilmember Day attended an event at the Central Activity Center and received several compliments on the updated remodeling of the Center.

Councilmember Johnson stated that she was excited on the amount of tenure and combined 160 years of dedication to our City. Councilmember Johnson congratulated the employees that were recognized for over five years of service.

Councilmember Johnson asked everyone to pray for our children as they head back to school to have a great and safe year. Councilmember Johnson encouraged everyone to slow down in the school zones.

Councilmember Johnson reminded everyone that the Budget Public Hearing will be held on Thursday August 8, 2019 at 7:00 p.m. in the Council Chambers within the Public Safety Building located at 1111 Broad Street, Phenix City, Alabama.

Councilmember Bailey thanked Summerville Road Baptist church for their involvement in the community. Councilmember Bailey stated that Summerville Road Baptist Church served breakfast to the coaches that participated in the Cal Ripken World Series Tournament. Councilmember Bailey also stated that the Church served dinner to the local Phenix City teachers that were headed back to the classrooms and breakfast for the coaches of Central High School football team.

Councilmember Bailey asked everyone to pray for the citizens of Dayton Ohio and El Paso Texas that were affected by the recent mass shooting. Councilmember Bailey urged everyone to be aware of their surroundings and report potential dangerous situations.

Mayor Lowe thanked the Citizens and the Department Heads for providing services for the citizens of Phenix City, Alabama.

There being no further business to address, the meeting thus adjourned until August 20, 2019.