

**MEETING MINUTES
December 3, 2019**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, December 3, 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.

Mayor Lowe exercised his Point of Privilege and reflected on the life of Kenneth Johnson who passed away on December 2, 2019. Mayor Lowe stated that Mr. Johnson was a valued member of this community and former schoolmate of City Manager Wallace Hunter and himself.

Reverend Keith Badowski of Epworth United Methodist Church delivered the invocation.

Councilmember Johnson 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 Richard Alex Patterson - 5 years, Candise Stowe – 5 years, Terry Holland – 5 years, Frankie Holloway – 5 years, Jim Jones – 15 years, Joshua Peeler – 5 years, Joseph Thomas – 10 years, and Raymond Smith – 30 years.

Mayor Lowe presented the regularly scheduled meeting minutes of the November 18, 2019 Work Session for approval. Councilmember Johnson moved to approve the minutes, 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 the regularly scheduled meeting minutes of the November 19, 2019 Council Meeting for approval. Councilmember Gordy 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 Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Day and Councilmember Johnson. 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 authorizing the Mayor and City Manager to sign all documents necessary to terminate the purchase and sale agreement with Jaime Martinez Hernandez for property located at 2401 7th Street.

RESOLUTION NO. 2019-308

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 authorizing and directing the Mayor, City Manager and Chief of Police to enter into an agreement with Motorola Solutions in the amount of \$10,400.00 for the administration clean-up of software for Spillman System Administration.

RESOLUTION NO. 2019-309

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 in reference to authorizing and directing the Mayor, City Manager and Chief of Police to enter into an agreement with Motorola Solutions in the amount of \$7,847.00 for the purchase of the equipment maintenance module for Spillman Computer System.

RESOLUTION NO. 2019-310

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 an agreement with Motorola Solutions in the amount of \$29,636.00 for a multi-agency agreement and maintenance for Spillman Computer system for a 12 month term.

RESOLUTION NO. 2019-311

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 passed.

Mayor Lowe presented a resolution in reference to renewing Bid Number F19-01 for White Copy Paper at the current contract unit prices until December 5, 2020.

RESOLUTION NO. 2019-312

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 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 the following properties: 1303 2nd Street and 1605 South Railroad Street. Mayor Lowe stated anyone wishing to address council concerning these 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. 1303 2nd Street

RESOLUTION NO. 2019-313

2. 1605 South Railroad Street

RESOLUTION NO. 2019-314

Councilmember Day moved to approve the resolutions, 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 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 Captain Scotty Johnson in recognition of his 24 years and 9 months of public service.

RESOLUTION NO. 2019-315

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 declaring personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to Warren McLoughlin in recognition of his 24 years of public service.

RESOLUTION NO. 2019-316

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

Mayor Lowe presented for second reading an ordinance to exempt certain items from Municipal Sales and Use Tax during February, 2020, referred to as the Severe Weather Preparedness Tax Holiday. (First Reading 11/19/19)

ORDINANCE NO. 2019-16

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 for second reading an ordinance to amend Ordinance 46.151 License Tax Imposed – Rate within Corporate Limits and 46-152 License Tax Imposed – Rate

Outside Corporate Limits, but within Police Jurisdiction Relating to Establishment of Lodging Tax.
(First Reading 11/19/19)

ORDINANCE NO. 2019-17

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

Mayor Lowe presented an Ordinance for first reading authorizing the Issuance of General Obligation Warrants, Series 2020A.

ORDINANCE NO. 2019-18

Councilmember Gordy moved to dispense with the reading, 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. Councilmember Day moved to suspend the rules, 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. 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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented an Ordinance for first reading authorizing the Issuance of Water and Sewer Revenue Warrants, Series 2020A.

ORDINANCE NO. 2019-19

Councilmember Gordy moved to dispense with the reading, 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. Councilmember Johnson moved to suspend the rules, 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. 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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented an Ordinance for first reading authorizing Certain Matters Related to the Issuance of Taxable Revenue Bonds (Phenix City Municipal Projects), Series 2019A by The City of Phenix City Public Building Authority.

ORDINANCE NO. 2019-20

Councilmember Day moved to dispense with the reading, 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. Councilmember Gordy moved to suspend the rules, 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. Councilmember Johnson 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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented two (2) openings on the Phenix City – Russell County Library Board. Mayor Lowe called for nominations. Councilmember Day nominated to re-appointment Yolanda Daniel and Marilyn Brannen. There were no other nominations. Mayor Lowe called for a motion. Councilmember Gordy moved to reappoint Yolanda Daniel and Marilyn Brannen, 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 one opening on the Tree Commission. Mayor Lowe called for nominations. Councilmember Gordy nominated to re-appoint Gail Brantley. There were no other nominations. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Gail Brantley, which 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 for second reading an application for an On Premise Beer License and an On Premise Wine License submitted by Praphaphan Dougherty for Classic Nails, LLC dba Classic Nails located at 1413 Highway 280 Phenix City, Alabama. Councilmember Day moved to approve the applications, 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 application for an On Premise Beer License, On Premise Wine License, On Premise Whiskey/Wine License, and Dancing with Live Band License submitted by Alonzo Cliatt for Medtech, LLC dba Bamaque located at 209 Seale Road, 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: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented an application for an Off Premise Beer License and Off Premise Wine License submitted by Lonnie McCaffety for Family Dollar Stores of Alabama, LLC dba Family Dollar Store 26666 located at 1009 Gateway Drive, Phenix City, Alabama. Councilmember Johnson 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: Councilmembers 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, filed by Azar & Azar, LLC and Wilber & Associates P. C. for USAA on behalf of Karl Taylorson. City Attorney Jimmy Graham stated that on July 9, 2019 Battalion Chief Karl Taylorson's personal vehicle was hit by a City vehicle. City Attorney Graham recommended denying the claim due to not following the proper protocol of completing a claim form and submitting three estimates. City Attorney Graham stated that Mr. Taylorson's vehicle was fixed by the insurance company USAA. Councilmember Day 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 passed.

Councilmember Day thanked everyone for wishing him a Happy Birthday on December 2, 2019. Councilmember Day stated that he is truly blessed.

City Manager Wallace Hunter asked everyone to keep City Attorney James McKoon and family in their prayers in the passing of his mother.

City Manager Wallace Hunter asked everyone to keep City Attorney Jimmy Graham and family in their prayers in the passing of his sister.

City Manager Wallace Hunter asked everyone to keep Ms. Georgia Laningham with Keeping Phenix City Beautiful in their prayers. City Manager Wallace Hunter stated that Ms. Laningham is currently in a Phenix City nursing home.

City Manager Wallace Hunter encouraged everyone to be safe during the Holiday Season and be aware of their surroundings. City Manager Wallace Hunter also encouraged everyone to report suspicious behavior to the Police Department.

City Manager Wallace Hunter congratulated the Central High School Red Devils on a great football season and making the Alabama 7A championship game once again this year.

City Manager Wallace Hunter reflected on the life and passing of Ken Johnson. City Manager Wallace Hunter stated that Ken Johnson was a great basketball player in the 70's at Central High School and an overall humble person. City Manager Wallace Hunter also stated that Ken Johnson will be truly missed.

Mayor Lowe encouraged everyone to value life and each other.

Councilmember Bailey encouraged everyone to do something nice for someone else and not to look for anything in return. Councilmember Bailey stated that this is the season for giving and caring for others. Councilmember Bailey encouraged everyone to be safe during the Christmas Holidays and to follow the example of Jesus Christ who served, cared and loved others.

Councilmember Bailey invited everyone to the Christmas Parade on December 7, 2019. Councilmember Bailey encourage everyone to remember parade safety and be mindful of the small children and keep them safe as well.

Councilmember Johnson thanked the citizens for their support and encouraged them to be safe this Holiday Season and adhere to the holiday safety tips. Councilmember Johnson stated that the City of Phenix City is a City of love and support.

Councilmember Gordy congratulated the Central High School football players on a job well done and for going to the state championship two years in a row. Councilmember Gordy thanked the players for their hard work and dedication. Councilmember Gordy encouraged everyone to go to Central High School on December 3, 2019 at 1:45 to send off and show support for the Red Devils. Councilmember Gordy stated that the championship game will be held December 4, 2019 in Auburn, Alabama. Councilmember Gordy also stated that the Schools will have a delayed start by two hours later on the December 5, 2019.

Councilmember Day stated that this is the season of giving and we must give back to our community and help each other.

Councilmember Day encouraged everyone to have pride in our City and keep Phenix City clean.

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

There being no further business to address, the meeting thus adjourned until December 17, 2019.