

**MEETING MINUTES
February 7, 2023**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, February 7, 2023 at 9:00 a.m. at the Martin Idle Hour Park Community Center located at 3743 Moon Lake Drive, Phenix City, Alabama 36867. Upon roll call, the following members of Council were present: Councilmember Arthur L. Day, Jr., Councilmember Vickey F. Carter, Councilmember Steve Bailey, Councilmember R. Griff Gordy, and Mayor Eddie N. Lowe. Also present were City Manager Wallace Hunter, City Attorney Jimmy Graham, and City Clerk Melony Lee.

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

Minister Steve Pace of Summerville Baptist Church delivered the invocation.

Councilmember Carter 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 Brent Paul - 5 years, Casey Pinder - 5 years, and Michael Bauer - 15 years.

Mayor Lowe presented a proclamation recognizing Arbor Day.

PROCLAMATION

Tommy Ware, chairman of Tree Commission and Rex Sanders, member of the Tree Commission, came forward to accept the proclamation.

Mayor Lowe presented a proclamation recognizing 100 Years of Service to the Community for Boy Scout of America troop 27.

PROCLAMATION

Scout Master Ryan Yearick and Cliff Christian of Boy Scout of America Troop 27 came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the January 17, 2023 Work Session and regularly scheduled meeting minutes of the January 18, 2023 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, Carter, 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. 2023-13 to be ratified in reference to authorizing and directing the Mayor and City Manager to accept a quote from Sansom Equipment Company for repairs to the WWC-71 small jetter/vacuum truck for the estimated cost of \$67,345.34.

RESOLUTION NO. 2023-13

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

Mayor Lowe presented Resolution No. 2023-14 to be ratified in reference to authorizing to accept a quote from H&L Construction, Inc. to install a new guardrail along Brickyard Road and to repair the guardrail along North Railroad Street in an amount not to exceed \$28,262.50.

RESOLUTION NO. 2023-14

Councilmember Gordy 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, Carter, 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 make application for grant assistance from ALDOT for resurfacing of 10th Avenue from Seale Road to Fontaine Road.

RESOLUTION NO. 2023-15

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, Carter, 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 an agreement with the State of Alabama (acting by and through ALDOT) for the resurfacing on Opelika Road from SR-38 (US-280) to the city limits (Project# STPPC-5721 ()); CPMS Ref# 100073834 and 10073348.

RESOLUTION NO. 2023-16

Councilmember Carter 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, Carter, 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 and City Manager to sign Change Order No. 3 with J. Douglas Martin & Associates, Inc. to renovate the Economic Development Building.

RESOLUTION NO. 2023-17

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

Mayor Lowe presented a resolution in reference to declaring (1) conference room table and (4) four chairs as surplus to be transferred to another department or disposed of at the City Landfill.

RESOLUTION NO. 2023-18

Councilmember Carter 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, Carter, 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 and City Manager to sign Change Order No. 1 with Evergreen Siteworks, LLC for the Phenix City C&D Landfill Expansion Improvements

RESOLUTION NO. 2023-19

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, Carter, 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 sign an agreement with Phenix Paving and Maintenance, LLC to perform repair work to the Engineering Department parking lots in an amount not to exceed \$24,793.92.

RESOLUTION NO. 2023-20

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, Carter, 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 sign an agreement with Phenix Paving and Maintenance, LLC to perform repair work to parking lot #1 in an amount not to exceed \$8,082.52.

RESOLUTION NO. 2023-21

Councilmember Carter 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, Carter, 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 Finance Director Labrita King-Copeland to sign an Engagement Agreement with Jackson Thornton & Company, P.C. to provide accounting services to the City's Finance Department.

RESOLUTION NO. 2023-22

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

Mayor Lowe presented a resolution in reference to granting easements to Alabama Power Company to provide underground electrical power for the new Fire Training Facility.

RESOLUTION NO. 2023-23

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, Carter, 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/Public Safety Director Raymond Smith to sign an amended agreement with LexisNexis Coplogic, Inc.

RESOLUTION NO. 2023-24

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

Mayor Lowe presented a resolution in reference to approving the recommendation of the Utilities Department to not accept waste from Ft. Benning beginning Monday, February 13, 2023.

RESOLUTION NO. 2023-25

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, Carter, 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 and City Manager to extend the current contract for the 2022-2023 Fiscal Year with CEDARCHEM, LLC for Zinc-Orthosphosphate thru September 30, 2023 at a cost of \$1.58/lb.

RESOLUTION NO. 2023-26

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, Carter, 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 an Ordinance to Amend the Zoning Ordinance of the City of Phenix City, Alabama, Article II – Definitions, Section 3 – Use Definitions, Add Medical Cannabis Dispensary; and Article IV – General District Regulations, Section 6 – Notes to Tables, Table 4-5 Use Regulations, Add

Medical Cannabis Dispensary in C-4 Zone; and Article VI – Regulations Applying To All Or Several Districts, Add Section 21 – Medical Cannabis Dispensary, Add Number 1. Mayor Lowe stated anyone wishing to address Council concerning the ordinance 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 for second reading an Ordinance to Amend the Zoning Ordinance of the City of Phenix City, Alabama, Article II – Definitions, Section 3 – Use Definitions, Add Medical Cannabis Dispensary; and Article IV – General District Regulations, Section 6 – Notes to Tables, Table 4-5 Use Regulations, Add Medical Cannabis Dispensary in C-4 Zone; and Article VI – Regulations Applying To All Or Several Districts, Add Section 21 – Medical Cannabis Dispensary, Add Number 1.

ORDINANCE NO. 2023-02

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

Mayor Lowe declared that now was the time and place for a public hearing in reference to an Ordinance to Amend the Zoning Ordinance of the City of Phenix City, Alabama, Article II-Definitions, Section 3 – Use Definitions; and Article IV – General District Regulations, Section 6 – Notes to Tables, Table 4-1 Dimensional Requirements for Residential Districts in R-2 and R-3 Patio Garden – Minimum Depth of Sideyard. Mayor Lowe stated anyone wishing to address Council concerning this ordinance 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 for second reading an Ordinance to Amend the Zoning Ordinance of the City of Phenix City, Alabama, Article II-Definitions, Section 3 – Use Definitions; and Article IV – General District Regulations, Section 6 – Notes to Tables, Table 4-1 Dimensional Requirements for Residential Districts in R-2 and R-3 Patio Garden – Minimum Depth of Sideyard.

ORDINANCE NO. 2023-03

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

Mayor Lowe presented for first reading an Ordinance to Amend the Code of Ordinances of the City of Phenix City, Alabama, Chapter 26, Environment and Natural Resources, Adding Article IV – Regulation of Certain Land Disturbing Activities, Sections 26-70 Through 26-78. Councilmember Carter moved to place the ordinance on first reading, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented an opening on the Tree Commission. Councilmember Gordy moved to table the appointment, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day,

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

Mayor Lowe presented two openings on the Zoning Adjustment and Appeals Board. Mayor Lowe stated that both current members, Richard Coreno and Debbie Harris are both willing to serve another term. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Richard Coreno, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed. Councilmember Gordy moved to reappoint Debbie Harris, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Councilmember Carter stated that Phenix City is one city and one community. Councilmember Carter encouraged everyone to be active in keeping Phenix City a beautiful and a positive place to live. Councilmember Carter stated that the City has new redesigned "Keep Phenix City Beautiful" yard signs for "Yard of the Month", "Business of the Month", and "Church of the Month" for all three districts. Councilmember Carter encouraged everyone to take pride in where they live.

Councilmember Carter congratulated City Employees that were recognized at today's meeting for their years of service to the City and our community. Councilmember Carter stated that the unemployment rate is at the lowest it's been in quite a while. Councilmember Carter also stated that the City is still hiring for those that are looking not only for a job but a career.

Councilmember Carter stated that in February, we celebrate Black History Month. Councilmember Carter also stated that it's a time to pay tribute to the generations of African Americans who have rose to the challenge and struggled with adversity to be great. Councilmember Carter further stated that she would like to spotlight the accomplishments of Marian Croak, Vice President of Engineering at Google, who has more than 200 patents including Voice over Internet Protocol. Councilmember Carter stated that she salutes and honors not only Ms. Croak but others like her that have paved the way for African Americans and all Americans. Councilmember Carter encouraged everyone to visit the Phenix City/Russell County Library this month and find a lot of information on Black History. Tammy Henry, Phenix City/Russell County Library Director, stated that the library is open Tuesday through Thursday 9:30 a.m. until 7:00 p.m. and from 9:30 a.m. until 6:00 p.m. on Fridays and Saturdays.

City Manager Wallace Hunter stated there are twelve months in a year and only one is dedicated to African American History. Mr. Hunter also stated that it started from unfairness a long time ago. Mr. Hunter further stated that Phenix City has had its own share of problems when it comes to hatred. Mr. Hunter reflected on the obstacles he faced as being the first African American City Manager of Phenix City. Mr. Hunter stated that his parents and older siblings worked through Jim Crow days, a time that it didn't matter how smart you were or how good you were, it only mattered what color you were. Mr. Hunter stated that Alabama had tough segregation laws where whites could be fined for helping a person of color. Mr. Hunter thanked Mark Anthony, former Personnel Manager, for giving him the opportunity to work doing affirmative action and break down color barriers. Mr. Hunter stated that Mr. Anthony contributed a lot of historic information to the time capsule buried outside of the Public Safety Building that is scheduled to be opened in 2083. Mr. Hunter also stated that the nation has come a long way

but still has ways to go. Mr. Hunter further stated he prays that the nation is in a better position than what it is in 2083 compared to today.

Councilmember Day stated that through his experiences, he agrees with City Manager Wallace Hunter. Councilmember Day also stated Jesus set the example for everyone to follow and that is to love and treat people right.

Mayor Lowe stated that to get the right person we have to be the right person. Mayor Lowe also stated that it starts with Phenix City to be the right community. Mayor Lowe encouraged everyone to have a sacrificial spirit and treat everyone right.

Mayor Lowe thanked CTV-Beam for bringing the council meeting to the Citizens of Phenix City, Alabama.

There being no further business to address, the meeting thus adjourned until February 22, 2023.