

**MEETING MINUTES  
March 7, 2023**

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

Reverend Curtis Doleman of Praise Ministry Tabernacle was present to deliver the invocation as listed on the agenda.

Mayor Lowe 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 Walter Maupin – 5 years, Winsome Fisher – 10 years, Shirley Taylor – 10 years, William Allen – 10 years, Timothy Davis – 25 years, William Miles – 25 years, Michael Scott Singletary – 25 years.

Mayor Lowe presented a proclamation recognizing Judge Michael Bellamy on his accomplishments and retirement.

**PROCLAMATION**

Judge Michael Bellamy came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the February 21, 2023 Work Session and regularly scheduled meeting minutes of the February 22, 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. 2023-46 to be ratified in reference to authorizing the Mayor and City Manager to sign a proposal with ProShot Concrete, Inc. to perform emergency repair work to a failing storm water pipe at 1811 16<sup>th</sup> Place in an amount not to exceed \$82,940.00.

**RESOLUTION NO. 2023-46**

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

Mayor Lowe presented Resolution No. 2023-47 to be ratified in reference to authorizing the Mayor and City Manager to sign a contract with AFS Newco, LLC to repair the foundation to the property located at 1811 16<sup>th</sup> Place in an amount not to exceed \$4,652.64.

**RESOLUTION NO. 2023-47**

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 a resolution in reference to authorizing and directing the Mayor and City Manager to enter into an agreement with the State of Alabama (acting by and through ALDOT) for the resurfacing of 4th Avenue from Idle Hour Drive to 16th Avenue.; Project # STPPC-5721(); CPMS Ref# 100073836 and 100073176.

**RESOLUTION NO. 2023-48**

Councilmember Carter 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 the satisfaction of special assessment on property located at 119 14th Court, Edna R. Tolbert (LE) ETAL (REM) Jimmy Rowell, owners.

**RESOLUTION NO. 2023-49**

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

Mayor Lowe presented a resolution in reference to awarding a bid to Robinson Paving Company for Bid E23-01 Hot Mix Asphalt Paving, Roadway, Drainage and City Facility and Property Improvements.

**RESOLUTION NO. 2023-50**

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 accept a quote from Southern Rewinding Industrial Sales and Services to provide and install a new pump along with reconditioning the existing motor in an amount not to exceed \$51,214.56.

## **RESOLUTION NO. 2023-51**

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 an Itemized Statement of Expense for William Ferrell of the Fire Department in the amount of \$9.97. Councilmember Gordy moved to approve the Itemized Statement of Expense, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Carter, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented an Itemized Statement of Expense for James McWilliams of the Fire Department in the amount of \$18.96. Councilmember Carter 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, Carter, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented for first reading an application for an Off-Premise Beer License and Off Premise Wine License submitted by Sujatha Garlapaty for Vasa, LLC dba Lucky Store located at 322 10th Avenue South Suite B, Phenix City, Alabama. Councilmember Day moved to place the applications on first reading, 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 that at this time, he would typically ask if Council has anything to say or add however, he asked that they give him the opportunity to speak first. Mayor Lowe also stated that he would like to be very clear and to point out that what took place this past week was inappropriate, disrespectful and not a code of ethics. Mayor Lowe further stated that the local NAACP called a meeting for the purpose of trying to come to a solution for the violence that has been happening in our region here in Phenix City. Mayor Lowe stated that he is not stating that the City has not had some issues however, they've been very minimum and one is too many. Mayor Lowe also stated that this Council was elected by the majority of people in this community and is a great team and in his opinion they were disrespected by not being informed of or invited to attend this meeting. Mayor Lowe further stated that the City Manager or the Chief of Police and himself were not in attendance and they should have been there. Mayor Lowe further stated that anytime there is something scheduled in the community, the municipality should have the option to attend and this did not take place. Mayor Lowe stated that the City should have had the option to disclose at the meeting, how the City is being proactive to mitigate problems that may be occurring. Mayor Lowe also stated that even if the Mayor and City Manager are not invited, the Chief of Police should always be invited to attend these community held meetings regarding violence in the region. Mayor Lowe further stated that this is the second time this type of situation has taken place, where it was not disclosed to any of the municipality, the City Manager Wallace Hunter and Chief of Police Ray Smith both agreed. Mayor Lowe stated that it appears that there could be a conquering by dividing, concocting to be able to place people in the position to run for these positions, which is fine however, this is not the appropriate way to go about it. Mayor Lowe also stated that if one does not follow the appropriate steps, it is hard-pressed to believe that one will do the right thing once elected. Mayor Lowe further stated that it appears that there is a movement to attempt to make this Council ineffective and prevent Council from being able to do

what is needed to be effective and this is just wrong. Mayor Lowe stated that the code of ethics and respect should always be followed and if there is any Councilmember that is not doing this than they do not need to be here. Mayor Lowe also stated that to his understanding some members of law enforcement were there however, they just showed up to make sure that the message gets out clearly and correctly. Mayor Lowe further stated that Phenix City's Chief of Police and City Manager did not have that opportunity.

Councilmember Day stated that he was invited to and did attend the meeting. Councilmember Day also stated that there were members of the Sheriff's Department and District Attorney's office that spoke on the issues that were discussed. Councilmember Day further stated that he wondered where his fellow Councilmembers were and why they were not in attendance. Councilmember Day stated that he assumed he was invited because the meeting was held in his District and he agrees with Mayor Lowe that the rest of Council, Mayor Lowe, City Manager Wallace Hunter and Police Chief Ray Smith should all have been invited.

Councilmember Day stated he would like to take this opportunity to thank all of those that attended the local Elected Fellowship Luncheon. Councilmember Day also stated that it was a nice turn out and thanked all of the participants.

Mayor Lowe stated that he appreciated Councilmember Day's comments but that he believes that the meeting invitations were strategically designed the way it happened and if he is wrong, he apologize. Mayor Lowe also stated that it was done that way to concoct and stultify this Council.

Councilmember Day stated that he wondered why no one from the City Council was in attendance besides himself. Councilmember Day also stated that a program of this magnitude should have consisted of City Officials and at least the Chief of Police.

Councilmember Bailey stated that the meeting was designed to discuss crime and that the majority of the Council or the Chief of Police were not asked to attend. Councilmember Bailey also stated that everyone from the Sheriff, the District Attorney Office and the Police Department should have been asked to attend. Councilmember Bailey further stated that they would have had the opportunity to discuss laws being restricted, adding penalties to gains and things to that nature with the group. Councilmember Bailey stated that this could have been a discussion amongst the people with the ones leading the way to keep our city safe and our community safe and for us not to be invited is directly what the Mayor has stated, that sounds as if this was intentional is his opinion as well. Mayor Lowe stated that he did not have a clue and City Manager and Chief of Police confirmed that they did not know about the meeting.

Councilmember Carter congratulated the City Employees that were recognized earlier in the meeting for their outstanding service in the Fire Department for a total of 75 years combined. Councilmember Carter stated that it shows that the City is not just a job but a career. Councilmember Carter congratulated the Employees that received their five-year increments of service and thanked them for the work that they will continue to do.

Councilmember Carter congratulated Judge Michael Bellamy on his retirement. Councilmember Carter stated that Judge Bellamy was the City's first African American Judge. Councilmember Carter spoke on Judge Bellamy's comments when he was asked to be a judge and they cut his salary, but he had the notion of serving and he continued to accept the position as he knew it would provide him with the experience to embark upon his accomplishments for 47 years. Councilmember Carter thanked Judge Bellamy for his service and stated that he is a true

trailblazer for others to follow and is appreciated for all of the work that he has done in the court system.

Councilmember Carter stated that the Suit Up drive that was held in the month of February was a success and the items collected were delivered on March 1, 2023. Councilmember Carter thanked the City Clerk's office for their assistance, Councilmembers who supported the event, and the Community that poured out donations. Councilmember Carter stated that they had a goal of collecting 100 suits to include a jacket on a skirt, dress or blouse and skirt, something that would be a two-piece in order to make a suit. Councilmember Carter also stated that the goal was exceeded with over 500 suits being donated. Councilmember Carter further stated that words cannot express the gratitude felt from the community for donating and helping to exceed the goal of 100 suits. Councilmember Carter stated that Council will continue to work hard in the community to make this a better place to live, worship and play. Councilmember Carter stated that this community is one of the best communities in the State and in the Nation and she is so proud to live and work here.

Councilmember Carter stated that as we commemorate March as being Women's Month, we celebrate the women that continue to do what is necessary in their vital roles for the betterment of the Community.

City Manager Wallace Hunter stated that he does not hold back on his words but he does want to be respectful. Mr. Hunter also stated that he has been with the City for almost 40 years and he remembers going through some of the same issues that Judge Bellamy mentioned. Mr. Hunter further stated that what bothers him is that it does not take an organization with NAACP to use it to discriminate against people of any color, black or white. Mr. Hunter stated that the NAACP Organization was founded in 1909 and a lot of people do not realize that the **National Association for the Advancement of Colored People** is for all of us, and it was founded and financed through a group of white Jewish people. Mr. Hunter also stated that the 1900's through the reconstruction that came in for freedom of slavery and abolishment because discrimination wasn't fair. Mr. Hunter further stated that some people should not misuse the organization to build themselves up to cut other people down. Mr. Hunter stated that it is not worth it and it will backfire on you in some kind of manner. Mr. Hunter also stated that he has never seen such a divide. Mr. Hunter further stated that people can talk about racism and discrimination when it comes to white against black but it seems like blacks are destroying blacks. Mr. Hunter stated that the issue has to be addressed. Mr. Hunter also stated that it saddens him when you have people speak against gang violence and say all of the things about what people are not doing, they are looking at us (Council and City Leaders) and disrespecting the Mayor and the City. Mr. Hunter further stated that he does not care what anyone thinks of him at this point in his life and he knows that he has tried to do the best he could for the City and has put his life on the line since he asked God to give him the ability to be a firefighter. Mr. Hunter stated that as much as he loves his family, he knew that when he went into certain environments, that he may not come out alive. Mr. Hunter also stated that watching these young people retire today and seeing all of this, it blends in for him and to go from one thing to another to look at the whole overall picture of this City and that if you have a goal and the ambition to become a Councilmember, you don't have to cut other people's throat to do it. Mr. Hunter further stated that you don't have to try and make them look bad and step on their backs to get anywhere. Mr. Hunter stated that we have got a problem and we need to address the problem. Mr. Hunter also stated that Mayor was correct in stating that, this is not the first time this has happened and the Sheriff heard about it through the grapevine and just showed up for the meeting. Mr. Hunter further stated that the Chief of Police was on vacation but he was working and is always working, twenty four hours a day, seven days a week and the Mayor and all Councilmembers are available. Mr. Hunter stated that to his understanding

a group of people from the meeting believe that Councilmember Day is leaving so it is open house and that there is a seat going to be available since he will be out of the way, they will put people in the seat and will be creating chaos. Mr. Hunter also stated they have the audacity to put people down that are here and giving their all to make this a better City. Mr. Hunter further stated that this Council is receiving praise throughout the state on how well the City is doing through the tough times that we are currently going through. Mr. Hunter stated that these individuals are hiding behind this great organization and this is wrong. Mr. Hunter also stated that people are bashing the Chief of Columbus but he did not bring crime to Columbus because the crime was already there. Mr. Hunter further stated we have had our citizens killed over the bridge in Columbus in some recent incidents, they were not killed in Phenix City. Mr. Hunter stated that the City cannot discuss all of the measures and preventions that are being put into place to keep our Citizens safe in Phenix City for proactive reasons. Mr. Hunter also stated that we want to make sure we can deter crime and that we catch people when they cross over into our City to commit crimes and in keeping some things secret is how we are able to keep our Citizens safe. Mr. Hunter further stated that the City has been doing pretty well and our Police Department has been solving a lot of crimes in a timely matter. Mr. Hunter stated that he would love to prevent crime altogether however, he doesn't think that there is anyone in this room that has that capability. Mr. Hunter also stated that the City tries to make sure that we can work with Columbus, the Sheriff's Department and other agencies such as the FBI and CIA, to keep our Citizens safe. Mr. Hunter further stated that the people whose job is to keep the Community safe should be involved in a meeting concerning the safety of the Community.

Mayor Lowe stated that a mayor and a councilmembers jobs are not easy. Mayor Lowe also stated that this Council thinks about the next generation, and what they can do to make it better for them and not trying to make decisions to simply stay in the council seat to be a politician and worry about the next election. Mayor Lowe further stated if he should die tomorrow, he does not want anyone to say that he was the type to throw a rock and hide his hand. Mayor Lowe stated that the door is open, but some of these shenanigans are not appropriate and that this Council gets beat up enough trying to do the right thing.

Councilmember Bailey stated that the same ones that chose not to invite the Mayor, City Manager, the Chief of Police or other Councilmembers, are the same ones that criticize you for not being there and that is a double edge sword. Councilmember Bailey also stated that hiding the fact that a secret meeting is taking place then being chastise for not being there and It just so happed that other leaders in the Community heard about and were there. Councilmember Bailey further stated that if other members of Council had heard about the meeting, would have been there as well. Councilmember Bailey stated that the point is, that if you are going to be criticized for not being there, you should have had the opportunity to attend in the first place.

City Manager Wallace Hunter stated that most of the time, the Mayor is informed of these types of meetings and communicates to him and the rest of Council which gives them the opportunity to attend. Councilmember Bailey stated that if the Mayor could not attend, than another Councilmember or anyone in the room would have been there in his place and there is no excuse for not inviting everyone and going through the proper channels. Mr. Hunter stated that as bad as things are going in Columbus, Georgia, right now, you still see that Mayor Skip Henderson knew about it. Mr. Hunter also stated that over here in Phenix City where things are not going as bad, they do this and not informed the Mayor or the leaders of the City. Mr. Hunter further stated that it just wasn't right. Mr. Hunter stated that it was not Councilmember Day's fault and he doesn't blame him in anyway because he knows that if Councilmember Day knew that everyone else was not invited, he would have said something. Councilmember Day agreed.

Mayor Lowe stated that City Council has always been transparent. Mayor Lowe also stated that to be a councilmember, you must have character and integrity and if you don't have those attributes, you're doing it for self-service and this is not the place to be. Mayor Lowe further stated that he applauds anyone that wants to be a part of Council for the betterment of the City but it means you have to have sacrificial leadership attributes and be willing to give it all for the community. Mayor Lowe encouraged everyone to be a lifter and not a leaner.

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 March 21, 2023.