

**MEETING MINUTES
March 21, 2023**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, March 21, 2023 at 6:00 p.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, and Mayor Eddie N. Lowe. Councilmember Steve Bailey and Councilmember R. Griff Gordy were not present. 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 Dr. Clementine Warren of Colbert AME Church was present to deliver the invocation as listed on the agenda.

Mayor Lowe led the Pledge of Allegiance to the United States Flag.

Mayor Lowe stated that Alicia Hamilton was not present to accept the proclamation recognizing Lymphedema Awareness Month as listed on the agenda. Mayor Lowe also stated that the proclamation will be presented at a later point in the meeting upon the arrival of Mrs. Hamilton.

Mayor Lowe presented the called meeting minutes of the January 26, 2023 State of the City Address for approval. Councilmember Day moved to approve the minutes, which motion was seconded by Councilmember Carter. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Carter, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the March 6, 2023 Work Session and regularly scheduled meeting minutes of the March 7, 2023 Council Meeting for approval. Councilmember Carter 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, Carter, 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 a resolution in reference to authorizing and directing the Mayor and City Manager to sign documents with the Alabama Department of Economic and Community Affairs (ADECA) proposing change in scope of activities from the demolition of 43 structures to 19 structures for the demolition of blighted structures (Project # LR-CE-PF-20-009) to complete the Formal Amendment Process.

RESOLUTION NO. 2023-52

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

Mayor Lowe presented a resolution in reference to declaring various items as surplus to be sold as scrap or disposed of at the City Landfill.

RESOLUTION NO. 2023-53

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

Mayor Lowe presented a resolution in reference to declaring property as surplus to be sold as scrap or disposed of at the City Landfill.

RESOLUTION NO. 2023-54

Councilmember Day 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, 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 and accept documents from Phenix Paving and Maintenance, LLC to perform repair work to the Economic Development Parking Lot in an amount not to exceed \$19,205.66.

RESOLUTION NO. 2023-55

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, 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 Timothy Davis in recognition of his 25 years of public service.

RESOLUTION NO. 2023-56

Councilmember Day 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, 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 Sergeant William Miles in recognition of his 25 years of public service.

RESOLUTION NO. 2023-57

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, 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 Michael Singletary in recognition of his 25 years of public service.

RESOLUTION NO. 2023-58

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

Mayor Lowe recognized Mrs. Alicia Hamilton and presented her a proclamation recognizing Lymphedema Awareness Month.

PROCLAMATION

Mrs. Alicia Hamilton came forward to accept the proclamation.

Mayor Lowe continued with the Agenda Items.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to sign a contract with M&M Staging for a roofing system lease at the Phenix City Amphitheater April 1, 2023 thru July 5, 2023 in an amount not to exceed \$30,000.00.

RESOLUTION NO. 2023-59

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, 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 a contract with William Morris Endeavor Entertainment, LLC for The Red Clay Strays to perform at the Phenix City Amphitheater July 4, 2023.

RESOLUTION NO. 2023-60

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

Mayor Lowe presented a resolution in reference to declaring \$668.00 of unclaimed money as surplus to be deposited in the general fund of the City of Phenix City to be utilized for Law Enforcement purposes.

RESOLUTION NO. 2023-61

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

Mayor Lowe presented a resolution in reference to declaring various vehicles listed on "Exhibit A" as surplus to be sold to the highest bidder at a public auction or sold as scrap if no one purchases them.

RESOLUTION NO. 2023-62

Councilmember Day 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, 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 Numbers 1, 2, 3, and 4 for the Waste Water Treatment Plant Upgrade and Expansion project.

RESOLUTION NO. 2023-63

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

Mayor Lowe presented one opening on the Phenix City-Russell County Library Board. Mayor Lowe called for nominations. Councilmember Day nominated Allen Sims, III. There were no other nominations. Councilmember Day moved to appoint Allen Sims, III, which motion was seconded by Councilmember Carter. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Carter, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented three Itemized Statements of Expense for William Ferrell, Matthew Jacobs, and James McWilliams of the Fire Department in the amount of \$10.00 for each employee. Councilmember Day moved to approve the Itemized Statement of Expenses for William Ferrell, Matthew Jacobs, and James McWilliams of the Fire Department in the amount of \$10.00 for each employee which motion was seconded by Councilmember Carter. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Carter, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented for second 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 Carter 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, Carter, 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 Willie J. Davis, Jr. City Attorney Jimmy Graham stated that on February 19, 2022, while driving on 7th Street South, Mr. Davis ran over a pothole and caused damage to his vehicle. City Attorney Graham recommended denying the claim due to the fact that the City had no prior notice of the pothole. Councilmember Carter moved to approve the City Attorney's recommendation to deny the claim, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Carter, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

City Attorney Jimmy Graham presented a Subrogation of Claim against the City of Phenix City, filed by Allstate on behalf of Caleb Goodman. City Attorney Jimmy Graham stated that on August 30, 2022, Mr. Goodman was involved in a school bus and car collision on Colin Powell Parkway, Phenix City, Alabama. City Attorney Jimmy Graham stated that the school bus belonged to the Phenix City School System. City Attorney Graham recommended denying the claim. City Attorney Graham stated that the City of Phenix City is a complete and separate entity from the Phenix City School Board and he will notify Allstate. Councilmember Day moved to approve the City Attorney's recommendation to deny the claim, which motion was seconded by Councilmember Carter. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Carter, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Councilmember Day encouraged citizens to report a pot hole when they see it. Councilmember Day stated that anytime there are pot holes on the city streets and the city is not aware that it is there, per Alabama Law, the City is not liable. Mayor Lowe stated that it is a State Law and not a City Law.

Councilmember Carter stated that she wanted to reiterate that the City's Utilities Department will be closed on Monday, April 10th and Tuesday, April 11th for necessary updates. Councilmember Carter also stated that the Public Notice is being sent out in multiple forms of media and posted in the newspaper, city buildings, on the City's website, marquis and ads through Beam TV. City Clerk, Melony Lee stated that along with Beam TV Service Announcement, WRBL TV will have run ads. Miss Lee also stated that the two additional local channels should run the ads but she is pending final confirmation.

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 April 4, 2023.