

**MEETING MINUTES
May 2, 2023**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, May 2, 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, and Mayor Eddie N. Lowe. Councilmember R. Griff Gordy was 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 Steve Pace of Summerville Baptist Church was present to deliver the invocation as listed on the agenda.

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 Tommy Moore - 5 years, Michael Pattillo - 15 years, Kerry Bragg - 20 years, Daniel Johnson – 20 years, and James B Corbett – 20 years.

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

Mayor Lowe presented a proclamation recognizing Professional Municipal Clerk's Week.

PROCLAMATION

City Clerk Melony Lee and Office Manager Shannon Davis came forward to accept the proclamation.

Mayor Lowe presented a proclamation recognizing Building Safety Month.

PROCLAMATION

Building Official Ray Rogers came forward to accept the proclamation.

Mayor Lowe presented a proclamation Recognizing Sexual Assault Awareness Month.

PROCLAMATION

Edvonecia Ross came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the April 17, 2023 Work Session and regularly scheduled meeting minutes of the April 18, 2023 Council Meeting for approval. Councilmember Day 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, Carter, Bailey, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented Resolution No. 2023-78 to be ratified in reference to authorizing the Mayor to provide a copy of an executed Resolution and Agreement to the Alabama Department of Transportation (ALDOT) for maintenance along US Hwy 431 S.

RESOLUTION NO. 2023-78

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

Mayor Lowe presented Resolution No. 2023-79 to be ratified in reference to authorizing the Mayor to provide a copy of an executed Resolution and Agreement to the Alabama Department of Transportation (ALDOT) for maintenance along US Hwy 280/431 N.

RESOLUTION NO. 2023-79

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

Mayor Lowe presented Resolution No. 2023-80 to be ratified in reference to authorizing the Mayor to sign a pre-award information sheet for the EECBG Program for grant funding for energy efficiency plans and upgrades.

RESOLUTION NO. 2023-80

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, Carter, Bailey, 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 Indemnification Agreement with RaceTrac, Inc. for maintenance of certain drainage structures.

RESOLUTION NO. 2023-81

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

Mayor Lowe presented a resolution in reference to accepting and approving a proposed settlement regarding a Notice of Claim filed by Greg Davis Law Firm on behalf of Dennis Andrews in the amount of \$30,000.00.

RESOLUTION NO. 2023-82

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

Mayor Lowe presented a resolution in reference to accepting and approving a proposed settlement regarding a Notice of Claim filed by Charles A. Gower, P.C. on behalf of Saquain Simmons in the amount of \$86,500.00.

RESOLUTION NO. 2023-83

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

Mayor Lowe presented resolutions in reference to declaring properties a public nuisance and authorizing and directing the Housing Abatement Board to take necessary action to demolish, remove and clear all building materials, trash, and debris from the following properties:

1. 1808 6th Avenue

RESOLUTION NO. 2023-84

2. 1824 1st Avenue

RESOLUTION NO. 2023-85

3. 2006 4th Avenue

RESOLUTION NO. 2023-86

4. 716 Lawrence Court

RESOLUTION NO. 2023-87

5. 27 Lincolnshire Lane

RESOLUTION NO. 2023-88

6. 607 7th Place

RESOLUTION NO. 2023-89

7. 2507 16th Place

RESOLUTION NO. 2023-90

8. 811 Dillingham Street

RESOLUTION NO. 2023-91

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, Carter, Bailey, 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 a 36 month lease agreement with Best Copy Products, Inc. for one SHARP BP-70C65 Networked Digital Color Copier in the amount of \$260.73 per month.

RESOLUTION NO. 2023-92

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

Mayor Lowe presented a resolution declaring one SHARP MX-5001N Full Color Digital Imaging System as surplus to be disposed of at the City Landfill or by alternative methods.

RESOLUTION NO. 2023-93

Councilmember Bailey 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, 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 accept (2) two proposals and sign an agreement with Neel-Schaffer, Inc. to provide Preliminary Engineering Services for the replacement of the bridge crossing Cochagalechee Creek along Seale Road (Project No. STPPC-5717(252) 100067447).

RESOLUTION NO. 2023-94

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, Bailey, 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 make application to the office of Community Oriented Policing, School Violence Protection Program – Local Solicitation, for financial assistance.

RESOLUTION NO. 2023-95

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

Mayor Lowe presented for first reading an Ordinance to exempt certain items from the municipal sales and use tax during the third full weekend of July, 2023, referred to as the “Back-

to School” Sales Tax Holiday. Councilmember Day moved to place the ordinance on first reading, 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, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Gregory Scott McDonald. City Attorney Jimmy Graham stated that on April 8, 2023, while driving on Ingersoll Drive, Mr. McDonald struck a concrete pipe and damaged the transmission pan of his vehicle. Mr. Graham also stated that the memorandum from the City Engineer states that the Public Works Department has not done any work on the concrete pipe in the area and that they only pave the utility cut in the asphalt. Mr. Graham further stated that the memorandum from the Utilities Director states that the Utilities Department does not use concrete pipe for the sanitary sewer system. Mr. Graham stated that based on the two memorandums and reviewing the photographs, this is not a new pipe, this is a pipe that has been dug up somewhere and that there was a house being constructed and this may have been dug up due to that construction and may have somehow gotten in the street but unless the City has prior notice we are not liable and he therefore recommends to deny the claim. Councilmember Day moved to approve the City Attorney’s recommendation to deny the claim, 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, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Councilmember Day stated that three gentlemen from the Fire Department were recognized for 20 years of service each for a total of 60 years of service to the City with a lot of dedication to the citizens of Phenix City. Councilmember Day also stated that in reference to what Assistant Fire Chief Kerry Bragg stated earlier regarding the new group of young men that are in training to take their place is what each department should be doing to train new employees that will perform just as well. Councilmember Day further stated that since he has been on the City Council, Police Chief Ray Smith and Fire Chief Kristen Kennedy still call City Manager Wallace Hunter Chief and that he left a great lasting impact on the Fire department staff. Councilmember Day recalled Mr. Hunter stating before that he believes in giving his Department Heads the leeway to do their jobs effectively and building a strong relationship and makes the staff want to do their jobs.

Councilmember Bailey stated that he wanted to thank all of the Department Heads as they have a lot of hard tasks in front of them with having to work with fewer employees and that they are doing a great job of moving employees around and supporting other entities within the city. Councilmember Bailey also stated that he has noticed that Parks and Recreation has gone down to Broad Street to assist with cleaning up and that shows that the employees care about the City and take pride with not just doing their job but caring about the City where they live and that he appreciates what they do. Councilmember Bailey further stated that 99% of the citizens he speaks with approve of the work going on in the community and that only a very few want to complain all of the time and that those people are going to complain no matter what and that the employees are doing an excellent job and that he personally appreciates all of the departments in the City from Personal to Public Safety to all of the City Employees. Councilmember Bailey stated that he knows very little about IT but that he appreciates what they do because every time he tries to use technology that he does not know how to use, it works and that the plumbing works in the rest rooms and the Fire and Police answers the calls and keeps everyone safe and that it is wonderful to live in this City and he wants to thank each and every one of the employees for what they do.

Councilmember Carter stated that she would like to concur with what her fellow Council members have stated and that she would like to take an opportunity to recognize and congratulate the men and women who have dedicated their time and efforts to serve our community recognizing 80 years of service collectively with employment here at the City and also for the City Clerk's Office for the fine job that they continue to do and that they always keep them accountable and correct them at times when it needs to be done. Councilmember Carter also stated that it takes a lot of work and commitment and that the City Council appreciates all that they continue to do not only for City Council but as the intermediary contacts for the Council and the Community in which we serve.

Councilmember Carter stated that the Phenix City's Beautification Project for 2023 is underway and she would like to congratulate and announce that the business selected is Save it Pharmacy for their outstanding beautiful yard for the month of May and that the Church that was selected was Franchise Missionary Baptist Church for their great place and that they continue to keep their yard immaculate and that is what it is all about. Councilmember Carter also stated that the resident yard of the month is Mr. Charles Clark and Mrs. Barbara Clark and want to recognize and congratulate them on a fine job. Councilmember Carter further stated that they are now looking for a church, business and resident that continue to improve their yards and that help to kept the neighborhoods improved and also to help increase the tourism and other commerce within our community. Councilmember Carter stated that she would like to thank Dr. Janet Goodwin for preparing the certificates that were issued to the winners.

Councilmember Carter stated that we as the City have a tough job ahead of us as Councilmen Bailey stated that we are still short-handed in certain areas but that they continue to do the best job that they have working with a short staff and that it is a hard job. Councilmember Carter also stated that personally no job is harder than being a mother and that with Mother's Day approaching in this month of May, they want to recognize those mothers for a great job and that they continue to do, in her opinion the absolute hardest job. Councilmember Carter further stated that she is a proud mother of two children and she wants to say Happy Mother's Day to all of the mothers out there and thank you to the citizens that allow her to serve as their City Council represented for District two.

City Manager Wallace Hunter requested that Parks and Recreation Director Todd Hughes speak on the Summer Concert Series kick off coming up this Friday so that the citizens that are viewing the meeting are aware as they receive complaints that some citizens do not hear about the events and this is an opportunity to announce to the public. Mr. Hughes stated that this weekend is the kick off to the Summer Concert Series and on Friday night there will be Mother's Finest Concert and the City will be blocking off the parking lot on Thursday afternoon to setup the food vendors that will be in attendance. Mr. Hughes also stated that there will be a tent setup early Saturday and there are events planned for the day leading up to the concert that night and it should be a beautiful day and he hopes the citizens will come out and enjoy the activities. Mr. Hughes further stated that they there is signage around the River Walk kicking off the City's 100 year celebration. Councilmember Bailey asked what the pricing was for the concert and Mr. Hughes stated it was only \$10 and there would be food truck vendors. Council Bailey stated that the price was very reasonable. Mr. Hughes stated that the City has the upcoming Track Meet in Enterprise Alabama and that we have around 25 kids participating and the City had 550 entries in their Track Meet last weekend.

City Manager Wallace Hunter inquired about the Food Truck Event held on Friday. Planning Manager Shaun Culligan stated that the event is scheduled for the last Friday of each month starting at 5:00pm throughout the summer into the fall and then stopping in the winter

beside Chattahoochee Brewing Company on the River Walk. Mr. Culligan also stated that they have four to five food trucks and then a band starts at 8:00pm and the trucks typically stay the entire time depending on how well they are doing. Mr. Culligan further stated that the City wants to have consistent events going on downtown Phenix City on a regular basis and they do not have to be huge events just consistent so that Citizens get comfortable to come downtown and realize that it is safe. Councilmember Bailey asked if this event was on the 13 street end and Mr. Culligan replied as soon as you come over the 13 Street bridge to the left in that long space is where it will be setup. Councilmember Bailey stated that it would be easy for Columbus Citizens to walk right across the bridge to the event. Mr. Culligan stated that they want to make sure that Citizens are comfortable walking throughout downtown and that is not a lot of parking in that location but there is a free parking garage close by where Citizens can get directly onto the River Walk without crossing a lot of traffic. Councilmember Bailey stated that we have been crossing the bridge to Columbus for their events and we want to have them cross over for the City's events Councilmember Bailey also stated that Mr. Culligan has done an excellent job and that he appreciates all of the work. Councilmember Day inquired about the Parking Garage and if there were any signs pointing the Citizens to the location of the Free Parking Garage and Mr. Culligan stated that the City has parking signs but that nothing directing them from the event to the garage so that is something they can look at implementing. Mr. Hunter stated that we plan to have more events in that area around the hotel so that the Art Park can be utilized. Mr. Hunter also stated that this past weekend's weather was perfect and that he and Police Chief Ray Smith were over in Columbus while keeping track of Phenix City's event and that Broad Street was really full with people from Phenix City, Fort Mitchell and all around and crossing the bridge. Mr. Hunter further stated that the City's vision of the 2.5 mile loop could really be seen this past weekend and that they want to take full advantage of it especially with the City's Concert Series which will require fee to get in but there will be a lot that is free to the public as well as food trucks. Mr. Hunter stated that one of the best things about the past weekend's event was that there were no issues where the Police Department had to intervene and he did not see any issues with crime or commotion at all and it was peaceful and we want people to be able to get out and get involved and feel safe. Mr. Hunter also stated that they have more plans to build venues in the future and that the information will be coming in front of City Council.

City Manager Wallace Hunter stated that he really appreciates the City Council's comments on the City's employees and filling those positions because it is hard work and tough to manage and people need to understand that we do need to provide for our families with shelter, food and clothing. Mr. Hunter also stated that when you get into this profession as well as the department heads and you don't transform into a person that is coming to make a difference instead of coming to make a living, you can see it all day long and it is a problem. Mr. Hunter further stated that we should be here to make a difference and bring other people up and prepare the City to maintain itself and to be ran better than previously ran. Mr. Hunter stated that he will tell people all day long that he is a failure if Fire Chief Kennedy is not better at her job than he was then but she is better and will always be better at the job because she was made for it and she does an excellent job as well as Police Chief Ray Smith that has been with the City since he was a kid so the respect that City Council is speaking of, they have earned and he hopes that he has in turn earned their respect.

Mayor Lowe stated that at some point in our lives we must realize that it is not about us, it is about what we do for other people and in life we have to truly be true servants and not just because we love people but because we love God and he always says this but be a lifter and not a leaner but he will continue to say it because it's about other people and particularly with the shortage that we have it is more critical that we do a better job of lifting and not leaning on the people of this community. Mayor Lowe also stated he believes wholeheartedly that there is three

ways to do this, the first is sincerely not false chattering or not saying something for the day or the flavor of the month but you have to truly thank people and give those compliments, sincere wholesome complaints. Mayor Lowe further stated that the second thing is that we have to continue to continually give people confidence of what they are doing and how they are doing it better than we did it, the third and most important thing is you have to sincerely care because you can't fool people, they may not say anything but they know when you really mean it or not. Mayor Lowe stated that at some point in our lives it has to be about other people because that is the circle of life as we must transform or transmute people to be better than us. Mayor Lowe also stated that you probably will get tired of it however, he will continue as it is more critical now than ever that we should be a lifter and not a leaner and to the citizens of community to have a responsibility to help us solve the problems that we have and that we're not perfect but we're giving it our all hand over fist and we're going to continue. Mayor Lowe further stated that he would like to thank this community for allowing the City Council to serve them and even though they may not always like them, they should come talk and be able to agree and disagree and still hug each other and love each other and when we see each other we can look each other in eyes and shake hands. Mayor Lowe stated that he wants to thank this Council and the City Manager and his team and every person who works in this community. Mayor Lowe also stated that he wanted to say thanks to this community and that it's a great Community but it's what we're going to make of it and we also like to always end with, may God continue to bless us individually as well as collectively.

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 May 16, 2023.