

**MEETING MINUTES
May 16, 2023**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, May 16, 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 James Platt of Allen Temple AME Church was present to deliver the invocation as listed on the agenda.

Councilmember Carter led the Pledge of Allegiance to the United States Flag.

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

Mayor Lowe presented a proclamation recognizing Coach William "Pete" Ingersoll.

PROCLAMATION

Coach William Peter Ingersoll came forward to accept the proclamation.

Mayor Lowe presented a proclamation recognizing Retired Colonel George T. Ingersoll.

PROCLAMATION

Retired Colonel George T. Ingersoll came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the May 1, 2023 Work Session 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 presented the regularly scheduled meeting minutes of the May 2, 2023 Council Meeting for approval. Councilmember Carter 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: Councilmember Gordy. The motion thus passed.

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

Mayor Lowe presented Resolution No. 2023-96 to be ratified in reference to granting a tax abatement to Sierra Pacific Industries.

RESOLUTION NO. 2023-96

Councilmember Day moved to ratify 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 Project Agreement and Warrants for L&Co., Phenix City, AL, LLC.

RESOLUTION NO. 2023-97

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 declaring property a public nuisance and authorizing and directing the Housing Code Abatement Board to take necessary action to demolish, remove and clear all building materials, trash, and debris from property located at 1709 14th Avenue.

RESOLUTION NO. 2023-98

Councilmember Day moved to ratify 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, City Manager and City Clerk to sign the 2022-2023 Municipal Separate Storm Water Sewer System Permit Annual Report.

RESOLUTION NO. 2023-99

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, 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 a 36 month lease agreement with Best Copy Products, Inc. for a SHARP BP-70C55 Networked Digital Color Copier in the amount of \$195.45 per month.

RESOLUTION NO. 2023-100

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 authorizing the Mayor and City Manager to enter into a 36 month lease agreement with Best Copy Products, Inc. for a SHARP BP-70C36 Networked Digital Color Copier in the amount of \$145.89 per month.

RESOLUTION NO. 2023-101

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

PUBLIC NOTICE

Councilmember Day moved to approve the public notice, 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 the Mayor and City Manager to enter into a 36 month lease agreement with Best Copy Products, Inc. for (4) four SHARP BP-70C36 Networked Digital Color Copiers in the amount of \$649.48 per month.

RESOLUTION NO. 2023-102

Councilmember Gordy moved to approve the resolutions, 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 accepting a permanent sanitary sewer easement on Lot 300-A1, Jack's Family Restaurants LP, property owner.

RESOLUTION NO. 2023-103

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 authorizing and directing the Mayor and City Manager to sign Change Order Numbers 5,6,7,8 and 9 for Waste Water Treatment Plant Upgrade and Expansion project.

RESOLUTION NO. 2023-104

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

Mayor Lowe presented a resolution in reference to the Municipal Water Pollution Prevention (MWPP) 2022 Annual Report

RESOLUTION NO. 2023-105

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 authorizing and directing the Mayor and City Manager to sign an Indemnification and Hold Harmless Agreement with Savidge Homes, LLC for property located at 2501 Orchard Street.

RESOLUTION NO. 2023-106

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 for second 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.

ORDINANCE NO. 2023-07

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

Mayor Lowe presented for first reading an application for a Bail Bonding Company License submitted by Barry Johnson for A Call Away Bail Bonding located at 132 Main Street, Roanoke, Alabama 36274. Councilmember Gordy moved to place the application 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 for first reading an application for an On-Premise Beer License, On-Premise Wine License, Off-Premise Beer License and Off Premise Wine License submitted by Heike Horning for German Foods Gifts and More, LLC located at 711 13th Street, Phenix City, Alabama. Councilmember Day moved to place the application 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. ABSTAIN: None. The motion thus passed.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Patricia Stansell. Mr. Graham stated that on May 2, 2023 while driving on J.R. Allen Parkway. Ms. Stansell's windshield was cracked by City owned Public Works truck #58. Mr. Graham also stated that upon investigation truck #58 was in the area of where the incident occurred. Mr. Graham further stated that Ms. Stansell submitted the required three estimates for the damages and the lowest being \$450.00. Mr. Graham recommended approving the claim in the amount of \$450.00. Councilmember Day moved to approve the City Attorney's recommendation to approve the claim in the amount of \$450.00, 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.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Joshua Ziglar. Mr. Graham stated that on March 25, 2023 Mr. Ziglar hit a curb at the Dollar General at 3678 US Hwy 80 and damaged his wheels and tires. Mr. Graham also stated that the City is not liable because the area is still under warranty and that Mr. Ziglar would need to contact the developer that is managing the work at that location. Mr. Graham recommended denying the claim. Councilmember Gordy 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, 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 Scott Huguley. Mr. Graham stated that on March 25, 2023 Mr. Huguley ran over a pothole on Mimosa Road and caused damage to his vehicle. Mr. Graham also stated that Mimosa Road is not maintained by the City therefore he recommended to deny the claim. Mr. Graham further stated that on this claim and on the previous claim, he will send a letter to the claimants and provide the contact information on the resources they need to contact. 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Councilmember Bailey stated that he wanted to thank City Attorney Jimmy Graham for following up with the claimants and advising them on who they should contact when the City is not liable. Councilmember Bailey also stated that they want to ensure that the Citizens are taking care of even when it is not the City's responsibility.

Councilmember Carter stated that she wanted to thank Reverend James Platt for providing the invocation this morning.

Councilmember Carter stated that it was a pleasure to see brothers, Coach William Pete Ingersoll and Retired Colonial George Ingersoll, here today to receive their proclamations. Councilmember Carter also stated that the Ingersoll name is well standing and known throughout the community and that there is a road named for them. Councilmember Carter further stated that Mr. Pete Ingersoll and Colonial Ingersoll have both invested a lot into the community and that the Council certainly appreciates everything they have done and that the Council is honored and blessed to have these individuals in this community.

Councilmember Carter stated that she wanted to congratulate the upcoming 2023 graduates on the high school level and the collegiate level. Councilmember Carter also stated that she is certain the graduates have completed what it takes to be productive citizens. Councilmember Carter further stated that she wants to congratulate all of the graduates in the surrounding areas, Russell County High School, Central High School, and Glenwood High School for a job well done. Councilmember Carter stated that the Council looks forward to the graduates coming back after they go off to college or if they are attending our local colleges, Troy University or Chattahoochee Valley Community College and receive their education and continue to thrive in this dying world, so congratulations to all.

Councilmember Bailey stated that he wanted to congratulate the Glenwood Gators Boy's Baseball Team on their State Championship win for a second time in a row and that they now have 23 or 25 wins overall. Councilmember Bailey also stated that Central High School Boys Baseball Team will be playing tomorrow night in Oxford and the Central girls' softball team also has a chance at the championship game. Councilmember Bailey further stated that it is outstanding to have the championship game chances in football, baseball and softball and also to mention Smiths Station High School as there are a lot of people in this room that have gone there as well and that he has two sons that one was at Central and the other at Smiths Station and so at times he was torn between the two schools as he is sure many others are as well. Councilmember Bailey stated that he wishes them all well and he hopes they can bring home the championship like the Glenwood Gators.

Councilmember Day stated that he would like to invite the citizens to come out on Wednesday, May 17, 2023 to the grand opening of the new Jack's restaurant at 9:00 a.m. Councilmember Day also stated that the Council is very excited about the new vendors that are opening up not only in District 3 but throughout the City and City Manager Wallace Hunter and his team are doing a great job at bringing in new development.

City Manager Wallace Hunter stated that he wanted to thank everyone for what they are doing, the entire team, Council, City Clerk's Office, Department Heads and Economic Development. Mr. Hunter also stated that he sees that Chuck Williams from WRBL is in the audience today and that they have a long history with one another and that he respects all of the media. Mr. Hunter further stated that he would love to see as much written about the transformation of Phenix City over the past decade and a half as much as the corruption that has been written about the City and that if we can focus on how the City has changed throughout the years and give credit where credit is due as this City has dug itself out of the ashes for a long time now and has not received the respect that it should have received. Mr. Hunter stated that everybody is working with the citizens and the community from both governments and when the City moves, everyone else moves like the school system and all in the region. Mr. Hunter also stated that with so much turmoil going on in the world and in parts of our community in this region that we still have a lot of good functioning bodies of people and everything is moving forward in a positive way and that we need to focus on that to drown out some of the negativity.

Mayor Lowe stated that we as a community and as a City have not only been transformed but we have been transmuted which means the City has always been a very valuable place but what has taken place over the years is that we have taken something that was great and made it even greater and more valuable. Mayor Lowe also stated that this Council is so grateful to be a part of the growth of the Community and doing what is supposed to be done for the citizens and the community. Mayor Lowe further stated that it is their responsibility and with that comes certain actions in the way we deliver things that impact the community. Mayor Lowe stated that history is what it is and therefore we have transformed it and revamped the history of Phenix City by all of

the exciting things and growth that we have accomplished as a team. Mayor Lowe also stated that he wanted to thank the Council and the community for keeping him accountable because he wants to continue to grow to be the person he needs to be able to serve the people.

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

Mayor Lowe stated that as always we have the opportunity to be a lifter and not a leaner.

There being no further business to address, the meeting thus adjourned until June 6, 2023.