

**MEETING MINUTES
August 15, 2023**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, August 15, 2023 at 9:00 a.m. in the Council Chambers located within the Public Safety Building at 1111 Broad Street, 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, Assistant City Manager Chan Gamble, 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 Day led the Pledge of Allegiance to the United States Flag.

Mayor Lowe presented the regularly scheduled meeting minutes of the July 31, 2023 Work Session and the regularly scheduled meeting minutes of the August 1, 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 a Public Notice setting public hearing date for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2023 Local Formula Solicitation.

PUBLIC NOTICE

Councilmember Day moved to approve the public notice, 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 agreements with the State of Local Cybersecurity Grant Program (SLCGP).

RESOLUTION NO. 2023-163

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 declared that now was the time and place for a public hearing in reference to the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon properties located at 708 Williams Avenue and 1205 2nd Street South. Mayor Lowe stated anyone wishing to address Council concerning this Resolution 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 two (2) resolutions in reference to the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon properties located at:

1. 708 Williams Avenue

RESOLUTION NO. 2023-164

2. 1205 2nd Street South

RESOLUTION NO. 2023-165

Councilmember Day moved to approve the resolutions, 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 accept a proposal and sign an agreement with Neel-Schaffer, Inc. to provide Construction Engineering & Inspection Services for the replacement of the bridge crossing Cochagalechee Creek along Seale Road (Project No. STPPC-5717(252) 100067447).

RESOLUTION NO. 2023-166

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 rescinding Resolution No. 2023-140 in reference to installing streetlights on 14th Place.

RESOLUTION NO. 2023-167

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 Alabama Power to install one (1) 53 Watt LED Street Lights (5,200 – 7,200 Lumens – Type II – Gray) on 14th Place.

RESOLUTION NO. 2023-168

Councilmember Bailey 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 authorizing and directing the Mayor and City Manager to sign Change Order No. 12, 13, 14, and 15 with P.F. Moon and Company, Inc. for Waste Water Treatment Plant Upgrade and Expansion.

RESOLUTION NO. 2023-169

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 Indemnification Agreement with ASH-Evermore Homes of GA, LLC and a Hold Harmless Agreement with any future owner of said 10 Red Maple Street.

RESOLUTION

Mayor Lowe called for a motion to table the resolution. Councilmember Gordy moved to table 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 for second reading an Ordinance to Amend the Code of Ordinances of the City of Phenix City, Alabama, Section 1.094 of the Merit System Rules and Regulations of the City of Phenix City, Alabama.

ORDINANCE NO. 2023-10

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. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented two openings on the Personnel Review Board. Mayor Lowe stated that both current members Barbara Mitchell and Jim Holt are both willing to serve another term. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Barbara Mitchell and Jim Holt, 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 for second reading an Application for a Bail Bonding Company License submitted by Kimberly Bell for 5 Star Bail Bonds, LLC located at 2214 Gateway Dr., Suite A, Opelika, Alabama 36801. Councilmember Gordy moved to approve the application, 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 for first reading an Application for an On Premise Beer License, On Premise Wine License and On Premise Whiskey/Wine License submitted by Fat Momma Lucy's, LLC dba Fat Momma Lucy's located at 3909 Highway 80 Suite A and B, Phenix City, Alabama. Councilmember Day moved to place the applications 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

City Attorney Jimmy Graham presented a tabled claim against the City of Phenix City, filed by Victoria Wilkinson. Mr. Graham stated that the claim was tabled from the August 1, 2023 Council Meeting. Mr. Graham also stated that Ms. Wilkerson turned in three estimates as required. Mr. Graham further stated that the City wanted to have someone assess the damages as well. Mr. Graham recommended that the claim be tabled again, until the September 6, 2023 Council Meeting, giving the City time to send someone out to Ms. Wilkerson's residence. Councilmember Day moved to approve the City Attorney's recommendation to table the claim again, 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.

City Attorney Jimmy Graham presented two (2) claims against the City of Phenix City, filed by Cashawndra Irving for an incident dated May 2023 and an incident dated July 2023. Mr. Graham stated that the claims state that Ms. Irving hit a pot hole on two occasions, May 2023 and July 2023. Both incidents were located at her driveway on 16th Place. Mr. Graham also stated that upon investigation CTV Beam made a cut at the location and did not properly patch it and that the City had no knowledge of the pot hole and therefore, he recommends denying both claims. Councilmember Gordy moved to approve the City Attorney's recommendation to deny both claims, 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 Carter stated that with all that is occurring around the world, she was sure that there is good in this community. Councilmember Carter also stated that she wanted to thank Phenix City Police Officer K. Battle for assisting her with a recent issue and that it shows that the City has public service that are here to protect and serve this community.

Councilmember Carter congratulated Dr. Janet Sherrod for accepting the position and being named Phenix City School Superintendent. Councilmember Carter stated that she looks forward to the children going back to school and being safe while they continue their education.

Councilmember Day stated that he has had an opportunity to speak with Phenix City Superintendent Dr. Janet Sherrod and that he liked her attitude and the vision she has for the Phenix City Schools.

Councilmember Day stated that he enjoyed the City's Centennial Celebration of which he had the opportunity to attend and that he may not be around for the next Centennial Celebration but he wanted to thank the citizens for their support. Councilmember Day thanked Parks and Recreation Director Todd Hughes and his staff for all that they did to make the celebration nice and successful.

City Manager Wallace Hunter stated that the Centennial Celebration was great and he was thankful that the rain held off. Mr. Hunter asked Parks and Recreation Director Todd Hughes to thank the Entertainment Coordinator Brad Strickland and the entire department for a job well done.

Mayor Lowe stated that this is our generation and that we cannot pick the generation we were born into but we can pick the generation that we live in. Mayor Lowe also stated that we want our generation to live in one that shows love and caring. Mayor Lowe further stated that as the Leader of this Community and as every worker and citizen of this Community, we have the responsibility and must set the pace, tone and prepare for the next 100 years for the City.

Mayor Lowe asked for Executive Session to discuss Economic Development for five minutes, from which the meeting would adjourn.

Councilmember Day moved to go into Executive Session to discuss Economic Development for five minutes. Councilmember Gordy seconded said motion. All were in favor.

Council went into Executive Session at 9:47 a.m.

Council came out of Executive Session at 9:52 a.m.

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