

**MEETING MINUTES
September 19, 2023**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, September 19, 2023 at 6:00 p.m. at the Phenix City Youth Center located at 1601 5th Street South, 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.

Pastor Don Abrams of Trinity United Methodist 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 a proclamation recognizing The First Annual Tri-City Prayer Walk Day.

PROCLAMATION

Carmen Evans, Sandra Tsuruda, and Susan Barnes came forward to accept the proclamation.

Mayor Lowe presented a proclamation recognizing Help-The-Hooch Days.

PROCLAMATION

Administrative Coordinator Caryn Hammond and friends came forward to accept the proclamation.

Mayor Lowe presented a proclamation recognizing Chattahoochee Valley Community College Month.

PROCLAMATION

President Jackie Screws of Chattahoochee Valley Community College came forward to accept the proclamation.

Mayor Lowe presented the scheduled meeting minutes of the June 22, 2023 Budget Work Session 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Bailey. The motion thus passed.

Mayor Lowe presented the scheduled meeting minutes of the July 27, 2023 Budget Public Hearing Meeting for approval. Councilmember Gordy 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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the September 5, 2023 Work Session and the regularly scheduled meeting minutes of the September 6, 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, 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 resolution in reference to budget transfers for the 2022-2023 Fiscal Year.

RESOLUTION NO. 2023-185

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 enter into an agreement with the State of Alabama (acting by and through ALDOT) for the Downtown Streetscape Improvements along 14th Street from 12th Avenue to Broad Street; Project # TAPPC-TAPAA-TA23(922); CPMS Ref # 100076063 and 100075862.

RESOLUTION NO. 2023-186

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 authorizing the Mayor and City Manager to accept a proposal from Neel-Schaffer, Inc. and to enter into an agreement to provide Preliminary Engineering Services for the Downtown Streetscapes Improvements along 14th Street from 12th Avenue to Broad Street (Project No. TAPPC-TAPAA-TA23(922) CPMS Ref# 100076063 and 100075862).

RESOLUTION NO. 2023-187

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 accept a proposal from Neel-Schaffer, Inc. and to enter into an agreement to provide Preliminary Engineering Services for the Downtown Streetscapes Improvements along 14th Street from 12th Avenue to Broad Street (Project No. TAPPC-TAPAA-TA23(922) CPMS Ref# 100076063 and 100075862).

RESOLUTION NO. 2023-188

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 accept and sign a proposal with Landmark Grading Company, Inc. to install water and sewer services at the Landfill Expansion in an amount not to exceed \$51,909.04.

RESOLUTION NO. 2023-189

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 a resolution in reference to declaring one (1) Gasboy Atlas as surplus Model: 9853KXTW1 Serial Number: ATO45329 to be sold as scrap or disposed of at the City Landfill.

RESOLUTION NO. 2023-190

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 declaring one (1) STIHL 18" Chain Saw Serial Number: 299895788 to be sold as scrap or disposed of at the City Landfill.

RESOLUTION NO. 2023-191

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 presented a resolution in reference to authorizing the Mayor and City Manager to make application to the U.S. Department of Transportation for the Neighborhood Access and Equity Grant Program (NAE) for a planning project along the Crawford Road/13th Street Corridor.

RESOLUTION NO. 2023-192

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 an agreement with Superior Gas, Inc. to rent a 500-gallon Liquefied Petroleum Gas tank for the Drill Tower at a cost of \$58 per year.

RESOLUTION NO. 2023-193

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

Mayor Lowe presented a resolution in reference to authorizing the purchase of one (1) 42" Blue Diamond HD Cutter, Cat Manual Quick Coupler and ¼ inch Lexan protective front windshield for the Lakewood Golf Course Maintenance Division in an amount not to exceed \$13,610.69.

RESOLUTION NO. 2023-194

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, City Manager and Chief of Police George Staudinger to accept a bid from Ritch Electric Company, Inc. to replace the current generator at the Public Safety Building in an amount not to exceed \$85,902.06.

RESOLUTION NO. 2023-195

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 resolutions in reference to awarding bids for chemicals to the following companies:

1. Aluminum Sulfate – C&S Chemicals - \$0.182 / dry lb.

RESOLUTION NO. 2023-196

2. Dry Polymer – SNF Polydyne - \$2.10 / lb.

RESOLUTION NO. 2023-197

3. Granular Soda Ash – Harcross Chemicals, Inc. - \$0.247 / lb.

RESOLUTION NO. 2023-198

4. Hydrofluosilicic Acid – Brenntag Mid-South, Inc. - \$1.285 / lb.

RESOLUTION NO. 2023-199

5. Liquid Chlorine – Brenntag Mid-South, Inc. - \$2,822.00 per ton

RESOLUTION NO. 2023-200

6. Liquid Polymer – Brenntag Mid-South, Inc. - \$1,723 / lb.

RESOLUTION NO. 2023-201

7. Poly-Aluminum Chloride – Zeta Solutions - \$0.278 / lb.

RESOLUTION NO. 2023-202

8. Zinc-Orthophosphate – Zeta Solutions - \$1.069 / lb.

RESOLUTION NO. 2023-203

9. Sulfur Dioxide – Brenntag Mid-South, Inc. - \$2,125.00 per ton

RESOLUTION NO. 2023-204

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 sign a proposal to purchase one (1) 2024 International CV515 SBA 4x2 Standard Cab Chassis with a Knapheide KDBF116-B dump bed from Southland Transportation Group in an amount not to exceed \$91,056.06.

RESOLUTION NO. 2023-205

Councilmember Carter 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 sign Change Order No. 16 and 17 with P.F. Moon and Company, Inc. for Waste Water Treatment Plant Upgrade and Expansion Project.

RESOLUTION NO. 2023-206

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 an opening on the Improvement District/Brickyard Road Project. Mayor Lowe stated that current member Bobby Crowe was willing to serve another term. Mayor Lowe called for a motion. Councilmember Bailey moved to reappoint Bobby Crowe, 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 (2) openings on the Tree Commission. Mayor Lowe stated that current members Robin Young and Linda Pridgett were both willing to serve another term. Mayor Lowe called for a motion. Councilmember Carter moved to reappoint Robin Young and Linda Pridgett, 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 an Itemized Statement of Expense for Bentavious Miller, of the Fire Department in the amount of \$35.00. Councilmember Day moved to approve the Itemized Statement of Expenses in the amount of \$35.00, 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 passed.

Mayor Lowe presented an Itemized Statement of Expense for Perry Summerford, of the Fire Department in the amount of \$10.00. Councilmember Gordy moved to approve the Itemized Statement of Expenses in the amount of \$10.00, 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 passed.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Herbeth Posada. City Attorney Graham stated that Mr. Posada claim states that on July 20, 2023 a tree fell into his back yard at his residents on Mullins Drive and there were no damages to his property however, Mr. Posada claims the tree was on City property. City Attorney Graham also stated that Mr. Posada is asking that the City cover the costs of removing the fallen tree. City Attorney Graham further stated that he has a memorandum from the City's Public Works Department stating that the property behind Mr. Posada's resident is owned by another individual and not the City of Phenix City. City Attorney Graham stated that based on this information, he 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 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 a claim against the City of Phenix City, filed by Jannie Batts and Curtis Crowell. City Attorney Graham stated that Ms. Batts and Mr. Crowell's claim states that while driving on Whitewater Avenue near 14th Street, they ran over a pot hole and caused damage to the front passenger tire. City Attorney Graham also stated that the City was aware the cut was in the road and that they had previously filled it with gravel and due to the labor shortage the City was unable to repave the cut before Ms. Batts and Mr. Crowell hit it. City Attorney Graham further stated that they submitted three estimates and that the City is not required to take the lowest estimate if the services will not bring the vehicle back to its previous condition prior to the incident. City Attorney Graham stated that his recommendation was to

approve the claim in the amount of \$209.57. Councilmember Gordy moved to approve the City Attorney's recommendation to approve the claim in the amount of \$209.57, 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 and sign an agreement with ADECA for grant assistance through the FY2023 Supplemental Appropriations (ACT 2023-381) for the Phenix City Special Needs Park (Miracle Park).

RESOLUTION NO. 2023-207

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.

Councilmember Day thanked the students for attending the meeting in District Three. Councilmember Day stated that they should attend Council meetings and get to know what is going on in the Community and get involved. Councilmember Day mentioned the Department Heads that were in the meeting and introduced the students to the Chief of Police, Public Safety Director and Fire Chief. Councilmember Day introduced City Manager Wallace Hunter and stated that Mr. Hunter is in charge of running the City's day-to-day operations.

Councilmember Carter acknowledged that they appointed several board members during the meeting and thanked all those that serve on the boards and continue to assist the City Council. Councilmember Carter stated that it is a great privilege to be able to serve.

Councilmember Carter thanked Ms. Cicely Abron for bringing the students to the meeting and acknowledged her insight for leading our students to be better at all that they do. Councilmember Carter stated to the students, that it is so important to continue attending school and learn as much as possible. Councilmember Carter thanked the students for attending the meeting.

Councilmember Gordy stated that he was glad to have the students attend tonight's meeting and he wants the students to know that Ms. Cicely Abron is very special and a great role model and educator. Councilmember Gordy also stated that they are thankful to have people like Ms. Abron in our community. Councilmember Gordy thanked the students for attending.

Councilmember Bailey stated that this is a good group of young people and that this is what is needed in the Country today. Councilmember Bailey also stated that we need young people with responsibilities, ideas and that care about our communities and each other and he hopes that they continue to do this in their future.

City Manager Wallace Hunter stated that Councilmember Day's wife was an educator for 44 years. Mr. Hunter also stated that the Council has a brand new Council Chambers and Public Safety building and he would welcome the students to visit and learn more about the City and how the government operates. Mr. Hunter further stated that the students made their night by attending the meeting and thanked them for coming.

Mayor Lowe thanked the students for attending the meeting and stated that they all have a responsibility to raise the next generation of leaders. Mayor Lowe stated that they should always be around the right kind of people and stay away from the ones that are not right. Mayor Lowe also stated that this group of young people have integrity and morals and he wants to see them maintain that moving forward. Mayor Lowe advised that they should always remember that the quickest way for anyone to get ahead is to build up the people and community around them and that is what they are doing and he hopes they continue. Mayor Lowe further stated that as the current generation gets older and the younger ones take their places that they do it with transparency, character and integrity.

Mayor Lowe stated to always 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 October 3, 2023.