

**MEETING MINUTES  
October 17, 2023**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, October 17, 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 Acting City Clerk Shannon Davis.

Upon a quorum being established, Mayor Lowe called the meeting to order.

Reverend Steve Pace, Summerville Baptist Church was present to deliver the invocation as listed on the agenda.

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

Mayor Lowe presented the regularly scheduled meeting minutes of the October 2, 2023 Work Session and regularly scheduled meeting minutes of the October 3, 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, 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 No. 2023-220 to be ratified in reference to authorizing and directing the Mayor and City Manager to accept a quote from Sansom Equipment Company to make additional repairs to WWC-71 in an amount not to exceed \$13,172.23.

**RESOLUTION NO. 2023-220**

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 No. 2023-221 to be ratified in reference to directing and authorizing the Mayor and City Manager to sign Change Order No. 18 for WWTP Upgrade and Expansion project.

**RESOLUTION NO. 2023-221**

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 adopting the revised Cash Reserve Policy to increase the emergency fund from Three Million (\$3,000,000) to Four Million, Five Hundred Thousand Dollars (\$4,500,000).

**RESOLUTION NO. 2023-223**

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 Public Notice setting an Administrative Hearing for Revocation of Business License for Phenix Lumber Company.

**PUBLIC NOTICE**

Councilmember Gordy moved to table the public notice, 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 a Memorandum of Understanding with United Way of the Chattahoochee Valley, acting as Chips4Chips in an amount not to exceed \$250,000.00.

**RESOLUTION NO. 2023-224**

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 Sain & Associates to provide Transportation Planning Services at the intersection of Opelika Road and Lakewood/Dobbs Drive.

**RESOLUTION NO. 2023-225**

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 sign and enter into a contract agreement with Alabama Power Company through the "Make Ready Rebate Program" for the installation of (6) six chargers at the 5th Street South Youth Sports Complex and the 14th Street Parking Garage.

**RESOLUTION NO. 2023-226**

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 authorizing the Mayor and City Manager to sign a proposal with Key Construction/Roofing Col, Inc. for construction of the Landfill Expansion Scale House in an amount not to exceed \$49,950.00.

#### **RESOLUTION NO. 2023-227**

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, City Manager and Chief of Police to sign an agreement with Russell County E-911 for a Multi-Agency Software Maintenance agreement and support contract (SAA) for Motorola Solutions, formerly Spillman Technologies, Inc.

#### **RESOLUTION NO. 2023-228**

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 personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to James Belin in recognition of his 25 years of public service.

#### **RESOLUTION NO. 2023-229**

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 rescinding Resolution No. 2023-201 in reference to accepting a bid for Liquid Polymer from Brenntag Mid-South, Inc. at \$1.723 per lb. with a cost of \$1,055.36 per dry ton of biosolids.

#### **RESOLUTION NO. 2023-230**

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 awarding a bid to Polydyne for Liquid Polymer at \$1.50 per lb. with a cost of \$477.08 per dry ton of biosolids through September 30, 2024.

**RESOLUTION NO. 2023-231**

Councilmember Gordy 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 an Application for Conditional Use approval submitted by owner, Mike Osman to add apartments to the corner of Pierce Road and Phenix Drive. Councilmember Gordy moved to approve the Application for Conditional Use, 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 Notice of Claim against the City of Phenix City, filed by Morgan & Morgan, PLLC for Kristina Belcher. City Attorney Graham stated that the claim alleges that on March 30, 2023, Ms. Belcher tripped and fell on the sidewalk at the Idle Hour Sports Complex causing physical injuries. City Attorney Graham recommended negotiating a settlement with Morgan & Morgan, PLCC. Councilmember Day moved to approve the City Attorney's recommendation to negotiate a settlement, 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 Notice of Claim against the City of Phenix City, filed by Morgan & Morgan, PLLC for Kristina Belcher on behalf of Weston Marshall Belcher. City Attorney Graham stated that the claim alleges that on March 30, 2023, while holding Weston Marshall Belcher, Ms. Belcher tripped and fell on the sidewalk at the Idle Hour Sports Complex causing physical injuries. City Attorney Graham recommended negotiating a settlement with Morgan & Morgan, PLCC. Councilmember Gordy moved to approve the City Attorney's recommendation to negotiate a settlement, 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 No. 2023-222 to be ratified in reference to authorizing and directing the Mayor and City Manager to accept a quote from Warr Grading Contractor, Inc. to repair a Sanitary Sewer main in an amount not to exceed \$157,168.00.

**RESOLUTION NO. 2023-222**

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

Councilmember Bailey asked everyone to remember the people in the Middle East and keep them in their prayers. Councilmember Bailey stated that the current conflict in that Country is terrible with a lot of innocent people involved, including Americans and Citizens from other Countries. Councilmember Bailey also stated that the people of Israel need all of the prayers they can get and that they are a small nation and a great ally to the United States. Councilmember Bailey further stated that it is the terrorist that has done damage to Israel and not the people of Israel, although they are the ones that are suffering. Councilmember Bailey stated that terrorism is not the way to resolve issues but they should rather negotiate a compromise. Councilmember Bailey also stated that we should continue to keep those innocent people in our prayers just as we did for the victims of September 11, 2001.

City Manager Wallace Hunter stated that he was very happy to be in the United States. Mr. Hunter also stated that as American's we have not had to live in the environment that Israel is in at this time. Mr. Hunter further stated that there are always worst conditions in other areas than our own, so we should not take them for granted.

City Manager Wallace Hunter thanked the Chips4Chips group of United Way for attending the meeting and for all of the work and partnership they provide for the city. Mr. Hunter stated that the city is a great place to have a career and provides a good retirement that many do not appreciate. Mr. Hunter also stated that the City has had quite a few employees that have reached retirement status and has opened up employment opportunities for new employees. Mr. Hunter further stated that he hopes that those that are watching the meeting and need a good profession and training will join the City and take advantage of the great benefits for their future career and retirement.

City Manager Wallace Hunter stated that he appreciates the hard work and dedication of the City Council and current City employees and hopes that they all have a brighter future.

Mayor Lowe stated that he was excited to see the enthusiasm and fellowship in the meeting today and thanked everyone for attending. Mayor Lowe also stated that he wanted to challenge everyone in attendance to find it in their hearts 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 November 7, 2023.