

**MEETING MINUTES  
November 7, 2023**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, November 7, 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 Brady Baird, Seale United Methodist Church was present to deliver the invocation as listed on the agenda.

Councilmember Bailey 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 Chris Casey - 5 years, Samuel James – 5 years, Richard Barnhill – 5 years. Ms. Chastain stated that Chelsea Hutchins – 15 years was not present.

Mayor Lowe presented the regularly scheduled meeting minutes of the October 16, 2023 Work Session and regularly scheduled meeting minutes of the October 17, 2023 Council Meeting for approval. Councilmember Day moved to approve the minutes, 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 stated there was no unfinished business to address at this time.

Mayor Lowe presented a resolution in reference to accepting the dedication of an easement for public utilities for an Administrative Subdivision of 12.0 acres located along Sanks Drive, Gerardo Lopez, Fladelfo Flores & Iovanna Benitez, owners.

**RESOLUTION NO. 2023-232**

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

**PUBLIC NOTICE**

Councilmember Day moved to approve the public notice, 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 a one-time compensation for full time employees.

**RESOLUTION NO. 2023-233**

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 a one-time compensation for retirees, pensioners and beneficiaries.

**RESOLUTION NO. 2023-234**

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 a one-time longevity payment.

**RESOLUTION NO. 2023-235**

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 sign Change Order No. 2 with Architectural Innovations Design Group, LLC for the Human Resources New Office Renovations.

**RESOLUTION NO. 2023-236**

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 authorizing the Mayor and City Manager to enter into a contract with Municipal Consultants, Inc. for Professional Engineering Services in an amount not to exceed \$7,000.00.

**RESOLUTION NO. 2023-237**

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 and enter into a contract agreement with Wildland Services, LLC, for Professional Engineering Services in an amount not to exceed \$7,500.00.

#### **RESOLUTION NO. 2023-238**

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 several items as surplus to be disposed of or destroyed at the landfill.

#### **RESOLUTION NO. 2023-239**

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 for Professional Services from Moon Meeks and Associates, Inc. in an amount not to exceed \$19,000.00.

#### **RESOLUTION NO. 2023-240**

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 declaring several items as surplus as listed on "Exhibit A" to be sold to the highest bidder at a public auction or sold as scrap.

#### **RESOLUTION NO. 2023-241**

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 opening on the Phenix City Planning Commission. Councilmember Day nominated Jose Ramos. There were no other nominations. Councilmember Gordy moved to appoint Jose Ramos, 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 first reading an application for an On Premise Beer License, On Premise Wine License, On Premise Whiskey/Wine License, Billiards/Pool and Dancing with a Live Band Licenses submitted by Christopher Mahone for Epic Sports Bar and Grill located at 1700 East 280 Bypass, Phenix City, Alabama. Councilmember Day moved to place the applications 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. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for first reading an application for an On Premise Beer License, On Premise Wine License, On Premise Whiskey/Wine License and Billiard/Pool License submitted by Gertheia Gales for A&D Enterprises, LLC dba The Fratt House Bar and Grill located at 202 South Seale Road, Suite B and C, Phenix City, Alabama. Councilmember Gordy moved to place the applications on first reading, 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 a Bonding Company License submitted by Richard Stephens for Sin City Bail Bond located at 2700 US Highway 80 West, Unit B, Phenix City, Alabama. Councilmember Gordy made a motion to suspend the rules, 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 Day moved to approve the application, which 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 Felicia Copeland. City Attorney Graham stated that the claim states that on October 8, 2023, Ms. Copeland was driving on 22<sup>nd</sup> Avenue when she hit a pole hole which caused damage to her vehicle. Mr. Graham stated that Ms. Copeland provided three (3) estimates; however, Alabama Law states that the City must have prior notice of a pot hole and the City was not aware of this pot hole. 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 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 claim against the City of Phenix City, filed by Eva Johnson. City Attorney Graham stated that the claim states that on September 27, 2023, Ms. Johnson was driving on 7<sup>th</sup> Street South when she hit a pot hole that caused damage to the front fender and wheel of her vehicle. Mr. Graham stated that the pot hole belongs to the Phenix City School Board and not the City and that he will contact Ms. Johnson and provide an explanation. Mr. Graham recommended denying 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.

Mayor Lowe thanked the City Council for what they do for the City. Mayor Lowe also thanked the City Department Heads and all City Employees for all of their hard work.

Councilmember Carter thanked and congratulated the City Employees for their work anniversaries and for their dedication to serve the City.

Councilmember Carter thanked the military veterans for their sacrifice and service to our Nation. Councilmember Carter stated that the veterans have gone through so much and continue to go through even after serving our Country. Councilmember Carter thanked the members of the military that are currently serving our Country.

Councilmember Carter congratulated the Central High School Red Devils on a great season. Councilmember Carter stated that as the team goes into the playoffs, that they are supporting them and wish them well.

Councilmember Carter stated that she is proud to be serving Phenix City District Two as a Councilwoman and that the Council continues to do the best job that they know how to do for the Citizens.

Councilmember Gordy stated that he also wanted to congratulate the Lady Red Devils on their undefeated season. Councilmember Gordy also stated that the Lady Red Devils will be playing the championship game on Thursday, November 8, 2023 and invited everyone to go and support the team.

Mayor Lowe stated that all of the Phenix City Central Red Devil sports teams went undefeated this season which is amazing. Mayor Lowe also stated that all of the teams have a lot to be proud of and they are all amazing. Mayor Lowe further stated that Parks and Recreation also had a team that excelled. Parks and Recreation Director Todd Hughes stated that Parks and Recreation had a 12 year old Youth Flag Football Team that played in the Championship Game. Mayor Lowe stated that one of the things that sports does for our community is bring people together. Mayor Lowe also stated that they do not worry about ethnicity, faith or church but come together as a community. Mayor Lowe further stated that the games are important, but how we treat each other is more important and will be remembered. Mayor Lowe stated that he wanted to challenge the community to always come together regardless of our faith, ethnicity or what side of town we may live on.

Councilmember Bailey stated that Glenwood School also had a great season and only lost one game and will be headed to the State Championship Game.

Councilmember Bailey thanked the people of our City for understanding that we are short-handed on employees and for all of those that are working for the City. Councilmember Bailey stated that the City employees are doing the jobs of many and that the Council appreciates everything they are doing. Councilmember Bailey also stated that as you ride through the City there are some things that need to be addressed but for the majority it looks as though we are not short on employees due to the current staff working so hard. Councilmember Bailey further stated to the Citizens that the Council listens to everything that they say and that when they see the City employees working in the community, instead of the complaints, stop and tell them what a good job they are doing as everyone appreciates a pat on the back every once in a while. Councilmember Bailey stated that as the Mayor always says, we should be a lifter and not a leaner. Councilmember Bailey encouraged everyone to continue to lift our community in prayer as they are going through a challenging time and that to remember what it is all about, that

showing love, compassion and forgiveness because we have all done things that we should not have done and are embarrassed about. Councilmember Bailey further stated that if the Lord can forgive us than we can forgive ourselves and each other and reach out to one another.

Councilmember Day stated that he viewed the League of Municipality Booklet and was very proud to see the City's new Public Safety Building in the issue. Councilmember Day also stated that with Phenix City represented he will have more to speak about in Montgomery, Alabama next year at the meeting.

Councilmember Day stated that at the Lee Russell Council of Governments Meeting there were discussions regarding the new Wendy's Restaurant that opened up in Phenix City. Councilmember Day also stated that he attended the Grand Opening of the new Wendy's and that he was proud of how it looks and he received positive feedback from Citizens. Councilmember Day further stated that the City also has new businesses opening throughout all of the districts.

Councilmember Day stated that he has two grandsons that play youth football in Columbus, Georgia and their team is currently 6-0. Councilmember Day also stated that his prayer is that one day the boys will play professional football.

City Manager Wallace Hunter stated that we are coming into the holiday season of November and December and that these are always difficult times for so many. Mr. Hunter congratulated the employees that received service awards. Mr. Hunter thanked Chris Casey for his comments regarding working with others in the City and getting to know one another and their story. Mr. Hunter stated that all of the employees have a story and that we do not know what anyone is truly going through. Mr. Hunter also stated that there are several veterans with the City that have been here for up to 37 years and that they are the leaders in all that they do for the City and that time is getting short for the ones that have been here with the City so long. Mr. Hunter further stated that it has been a pleasure working for the City and that they are setting goals for the current and future employees as interest rates and costs continue to rise and that they need to be able to take care of their families. Mr. Hunter stated that there have been so many loses this year and that he hopes that everyone will reach out to those that are in need. Mr. Hunter thanked the Council for what they do and for having the understanding to do their jobs and support their Districts and that he understands what they have to go through to get their job accomplished. Mr. Hunter stated that he appreciates them and he thanked God for putting him in the position to be in the company of Council members.

Mayor Lowe thanked City Manager Wallace Hunter for his comments. Mayor Lowe stated that this is not an easy job but that they do it because they do care. Mayor Lowe also stated he wanted to challenge everyone in the City to care. Mayor Lowe further stated that it is the time of year for Thanksgiving and that they should be thankful and grateful to the good Lord for all that he has done and that at the end of the day he will always ask people to lift each other up and try not to lean on people or make the people or the City look bad. Mayor Lowe stated that we should be held accountable and that they need and want to be held to that standard and that they want to do it the right way. Mayor Lowe thanked all of the Department Heads and all of the employees working in the City.

Mayor Lowe announced that they are having a Compassion and Love Prayer Service for the City of Smiths Station and for First Baptist Church to be held at 6:00 p.m. tonight, November 7, 2023 at the Phenix City Amphitheater. Mayor Lowe read the media release regarding the service. Mayor Lowe encouraged everyone to attend.

There being no further business to address, the meeting thus adjourned until November 21, 2023.