

**MEETING MINUTES
November 21, 2023**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, November 21, 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 James McKoon, and City Clerk Melony Lee. City Attorney Jimmy Graham was not present.

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

Pastor Alice Hubbard, True Believers Ministry 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 presented a proclamation recognizing "Alabama Farm City Week".

PROCLAMATION

Jennifer Davidson of the Russell County Extension Office came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the November 6, 2023 Work Session and regularly scheduled meeting minutes of the November 7, 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 Resolution No. 2023-242 to be ratified in reference to the purchase of six (6) 2024 Ford Expedition vehicles from Stivers Ford Lincoln in an amount not to exceed \$327,854.00.

RESOLUTION NO. 2023-242

Councilmember Gordy moved to ratify 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 Resolution No. 2023-243 to be ratified in reference to authorizing the Mayor and City Manager to accept a proposal and sign an agreement with Neel-Schaffer, Inc. to provide additional Construction Engineering and Inspection Services for the replacement of the bridge crossing Cochagalechee Creek along Seale Road (Project No. STPPC-5717(252)

100067447).

RESOLUTION NO. 2023-243

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.

Mayor Lowe presented Resolution No. 2023-244 to be ratified in reference to authorizing the Mayor and City Manager to make application to the Alabama Transportation Rehabilitation and Improvement Program – II (ATRIP-II) for US Hwy 280/431 N and US Hwy 80 E Intersection Improvements.

RESOLUTION NO. 2023-244

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 authorizing the Mayor and City Manager to approve a proposed settlement agreement regarding a Notice of Claim filed by Carpenter, Ingram & Mosholder, LLP on behalf of Brianna A. Walker v. Officer Blake Jerez, et al., Case No. CV-2022-900182 in the amount of \$20,000.00.

RESOLUTION NO. 2023-245

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 adding two additional half days, December 22, 2023 and December 26, 2023 shall also be observed for the year 2023.

RESOLUTION NO. 2023-246

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 sign and enter into a contract agreement with Phenix Office Rental, LLC for the purchase of property located on 1200 8th Avenue in an amount not to exceed \$490,000.00 plus a \$100,000.00 letter of donation and any applicable closing cost.

RESOLUTION NO. 2023-247

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 the new Phenix City Comprehensive Plan prepared by KPS Group.

RESOLUTION NO. 2023-248

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 items as surplus to be sold as scrap or disposed of at the City landfill.

RESOLUTION NO. 2023-249

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 entering into a Grant agreement with the Alabama Department of Commerce for tuition reimbursement with Chattahoochee Valley Community College for Emergency Medical Technician Training in an amount not to exceed \$18,000.00.

RESOLUTION NO. 2023-250

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 cancel the service contract agreement between Dr. Donna Fleitas of My Psy, LLC and the Phenix City Police Department effective February 1, 2024.

RESOLUTION NO. 2023-251

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 a contract with Barry Davis Architects, P.C. to provide Design, Development and Construction Review Services.

RESOLUTION NO. 2023-252

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. 19 with P.F. Moon and Company, Inc. for the Waste Water Treatment Plant Upgrade and Expansion project.

RESOLUTION NO. 2023-253

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 for first reading an ordinance to exempt certain items from the Municipal Sales and Use Tax during February 2024, referred to as the Severe Weather Preparedness Tax Holiday. Councilmember Gordy moved to place the ordinance 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 an opening on the Phenix City Russell County Library Board. Mayor Lowe stated that current member Wanda Phillips was willing to serve another term. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Wanda Phillips 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 opening on the Phenix City Russell County Library Board. Mayor Lowe stated that current member Marilyn Brannen was willing to serve another term. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Marilyn Brannen, 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 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 Gordy moved to approve the applications, 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 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 Carter moved to approve the applications, 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 for first reading an application for an On Premise Beer License, On Premise Wine License, On Premise Whiskey/Wine License and Billiards/Pool Room License submitted by Velinda Russ for Sissy's Place, LLC dba Sissy's Place located at 1004 25th Avenue, 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.

Councilmember Day stated that the Christmas Parade is on December 2, 2023 and that it is also his birthday.

Councilmember Bailey wished everyone a Happy Thanksgiving and asked that everyone be close to their friends and families as we never know what will happen from one day to another. Councilmember Bailey also stated that on October 2, 2023 in Israel so many lives were lost and since that time, so many more have lost their lives in Israel and that we never know what will happen. Councilmember Bailey further stated that there are tragedies all over this world, and that we need to pray that it all ends and that we do not need to add to the problem but instead be the solution for the problem. Councilmember Bailey stated he did not know what the solution would be but to trust in the Lord, be close to our family and to love each other as we are commanded to do by Jesus. Councilmember Bailey also stated that if we can do those things and live a more Godly life that this world would be a better place and we would be better people of which we were intended to be. Councilmember Bailey further stated that we are blessed to live in the greatest country in the world and in his opinion we live in the best state and that he is very proud to be part of Phenix City and the City Council. Councilmember Bailey stated that he looks forward to his work for the next two years. Councilmember Bailey also stated that we have so much to be thankful for in our City compared to other Cities with issues that they have that we have never had which says a lot for the people that served the City prior to this Council and this Council and the ones yet to come. Councilmember Bailey thanked everyone and wished everyone a blessed Thanksgiving.

City Manager Wallace Hunter stated that he hoped that everyone enjoys the upcoming holidays. Mr. Hunter also stated that he appreciates everyone for doing such a great job so that the City can continue to move forward. Mr. Hunter thanked all of the Department Heads for what they do for the City and as this year comes to a close and as he has stated in previous years during the holiday months, they must watch out for each other. Mr. Hunter stated that the agencies that deal with suicide are so overwhelmed and can barely handle the cases that they have throughout the United States. Mr. Hunter thanked everyone and he hoped everyone has a peaceful holiday and enjoys family.

Mayor Lowe stated that we never know what people are going through and what they are dealing with and that people deal with certain issues differently, some easier than others. Mayor Lowe also stated that we should never look down on anyone. Mayor Lowe further stated that as he always stated, we should be a lifter instead of leaning on others but more importantly we should show generosity towards others which is hard to do sometimes. Mayor Lowe stated that we do have the responsibility as humans as we were created to do this for others. Mayor Lowe also stated as servants there are certain things we cannot escape and it is to think of others more than

we do ourselves. Mayor Lowe further stated that we need to be thankful and not just at this time of the year. Mayor Lowe encouraged everyone to have a very Happy Thanksgiving and remember to lift each other and not lean on each other.

Councilmember Day stated that every year he helps at the Valley Rescue Mission by serving food to others and that he really enjoys doing this service. Councilmember Day also stated that it is what we should do to love our fellow man and look out for each other and that it is not about him but about his fellow man and the love we should have for one another.

City Manager Wallace Hunter apologized for CTV Beam not being in attendance as they may be short staffed and that the City's IT Department was not informed with enough time to provide the service.

Mayor Lowe stated that Council, City Leaders and City Employees are a family and that we should help each other out and keep each other lifted in prayer.

Mayor Lowe encouraged everyone to be a lifter and not a leaner.

There being no further business to address, the meeting thus adjourned until December 5, 2023.