

**MEETING MINUTES
December 19, 2023**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, December 19, 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.

Pastor Grant Parker, Epworth Methodist Church was present to deliver the invocation as listed on the agenda.

Mayor Lowe led the Pledge of Allegiance to the United States Flag.

Mayor Lowe presented the regularly scheduled meeting minutes of the December 4, 2023 Work Session Meeting for approval. Councilmember Gordy 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 Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Day. 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 declaring six (6) Multi Colored Office Chairs and nine (9) Multi Colored Executive Chairs as surplus to be transferred to another department, sold as scrap or disposed of at the City landfill.

RESOLUTION NO. 2023-256

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 documentation with Ardurra fka Constantine Engineering, Inc. to increase the contract amount of Task Order 23 by \$56,650.00 for additional professional engineering services for the WWTP Upgrade and Expansion project.

RESOLUTION NO. 2023-257

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 the Mayor and City Manager to accept a proposal from ADS Environmental Services to provide cellular

communication for the flow monitors and rain gauges, annual calibration for the flow monitors and rain gauges and technical assistance for a year in an amount not to exceed \$4,090.00.

RESOLUTION NO. 2023-258

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 equipment, materials and one 2013 Ford F-150 as surplus to be sold as scrap or disposed of at the City landfill.

RESOLUTION NO. 2023-259

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 for second reading an Ordinance in reference to the Departments or Offices of the City of Phenix City, Alabama.

ORDINANCE NO. 2023-12

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 for first reading an Ordinance to Amend the Code of Ordinances of the City of Phenix City, Alabama, Chapter 6, Relating to Alcoholic Beverages, Section 6.60. Hours of Business for Alcoholic Beverages Licensees; Sale of Alcoholic Beverages to Minors; etc. Councilmember Day moved to place the ordinance 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. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented a Letter of Recommendation from the Planning Commission, Public Notice and Ordinance to rezone 1.12 acres of land located at 5203 Summerville Road from an R-1 Zone (Low Density Residential District) to a C-3 Zone (Neighborhood Commercial District), Edward E. Cook, Jr., Roger D. Cook, Jeffery W. Cook and Tina Marie Rogers, owners.

LETTER

PUBLIC NOTICE

ORDINANCE

Councilmember Day moved to accept the letter, approve the public notice, and place the ordinance 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.

Mayor Lowe presented a Letter of Recommendation from the Planning Commission, Public Notice and Ordinance to rezone 2.31 acres of land located at 1801 Knowles Road from a C-4 Zone (Highway Commercial District) to an R-3 Zone (High Density Residential District), Ricky Patterson, owner.

LETTER

PUBLIC NOTICE

ORDINANCE

Councilmember Gordy moved to accept the letter, approve the public notice, and 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. ABSTAINS: None. The motion thus passed.

City Attorney Jimmy Graham presented a Notice of Claim against the City of Phenix City, filed by Farris, Riley and Pitt LLP on behalf of Shaun Hagan. Mr. Graham stated that the claim alleges that the City of Phenix City is responsible for damages to the driver's side door and driver's passenger door of Mr. Hagan's vehicle from an accident that occurred on November 2, 2023 at the intersection of Lakewood Drive and Bridgewater Drive where the Public Works Department had a crew at the intersection on the above mentioned date which caused damage to the Mr. Hagan's vehicle. Mr. Graham also stated that the claim alleges that there were serious body injuries and permanent damages, however, based on the photographs of the accident, you can tell that it was not a devastation accident. Mr. Graham further stated that they are asking for a million dollars and it is his recommendation to deny the claim. Councilmember Carter moved to approve the City Attorney's recommendation to deny the claim, 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.

City Attorney Jimmy Graham presented a Notice of Claim against the City of Phenix City, filed by ALFA Insurance on behalf of Ruth Corbitt. Mr. Graham stated that the claim alleges that on November 17, 2023 the Phenix City Fire Department's Battalion One, 2014 F-250 pickup truck was responding to a medical call on 28th Street and while the driver was out of the vehicle it rolled down and crossed the street striking Ms. Ruth Corbitt's residents. Mr. Graham also stated that this is a unique claim as Ms. Corbitt filed the claim with the City of Phenix City and also filed it with her insurance company to fix the damages caused to her home. Mr. Graham further stated that the claim is requesting that the City pay \$10,812.20, however, the quoted cost is \$9,812.20 to complete the work and that he is assuming that the insurance company is adding Ms. Corbitt's one thousand dollar deductible to the City's cost but he has no documentation specifically stating that is the case. Mr. Graham stated that his recommendation is to deny the claim and negotiate with the insurance company. Mr. Graham also stated that he does not want the insurance company to not reimburse Ms. Corbitt for her \$1,000 deductible because it would not be right. Mr. Graham further stated that the claim that Ms. Corbitt filed through her son should be denied because it has been satisfied by the insurance company. Mr. Graham stated that his

recommendation is to deny the claim and he asked that he be given the authority to negotiate with the insurance company. Councilmember Gordy moved to approve the City Attorney's recommendation to deny the claim and give authority for negotiation, 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 thanked the City Council and stated that it is amazing how quickly time passes and how thankful they are to have the opportunity to be there with everyone. Mayor Lowe thanked Pastor Grant Parker for the wonderful prayer and that they have so much to be thankful for.

Councilmember Carter stated that it was a beautiful day for the last council meeting of the year and that she was truly grateful for everyone and each citizen residing in the City. Councilmember Carter also stated that it makes what they do worthwhile and that if she could sing "We wish you a Merry Christmas", she would but that she could not sing. Councilmember Carter further stated that Jesus is the reason for this season and she wanted to wish everyone a Merry Christmas and a blessed and safe New Year. Councilmember Carter stated it has been a privilege to serve this Community and wanted to thank every citizen for allowing her to do so. Councilmember Carter also stated for the Walk of Champions she wanted to congratulate the Central High School student athletes, male and female students on the outstanding season and that the Council is happy and proud of them. Councilmember Carter thanked the City staff for the outstanding job that did for the year and that she loves them and there is nothing they can do about it.

Councilmember Bailey wished everyone a Merry Christmas and a Happy New Year. Councilmember Bailey stated that he did not know why people have to wait for this time of year to start appreciating each other as they should do it every day of the year. Councilmember Bailey also stated that every day that we are given and every morning we wake up and open our eyes it is a blessing and, a gift that we have in front of us our whole life. Councilmember Bailey further stated that our families are gifts and that everything comes from God and often we want to question when we should trust and believe and have faith. Councilmember Bailey stated that it is now time to say good bye to someone that is very special to the Council, City Clerk Melony Lee who will retire at the end of the year. Councilmember Bailey also stated that Ms. Lee has been with the City for a long time and she has been faithful and she has no idea how much she has helped him. Councilmember Bailey further stated that he was the least experienced person on the Council but that he has learned a lot and has gained a lot of knowledge. Councilmember Bailey stated that prior to his role on the Council, he did not always trust everyone for who they were but for what they could offer him, however, he has now learned to trust through his experience. Councilmember Bailey also stated that he has been taught in a way that helped him to understand and accept. Councilmember Bailey further stated that they are very blessed to live in the most wonderful Country in the World and the freest Country, we have the right to disagree and agree and to always have someone stand up for them and to back them up and help. Councilmember Bailey stated that he appreciated all of the City employees and all that they do every day. Councilmember Bailey also stated that he definitely loves his Country and that his wish is that everyone could eventually come to the conclusion that they should love the Country too. Councilmember Bailey further stated that there was too much animosity in the World and jealousy where people think they are entitled to something that someone else has and has worked hard for. Councilmember Bailey stated that everyone should work and earn the things they want and that he promised that it would pay off in the long run. Councilmember Bailey asked God to bless each and every one.

Councilmember Gordy stated that Councilmember Carter and Councilmember Bailey did a great job in expressing the way the entire Council feels. Councilmember Gordy also stated that they are going to miss City Clerk Melony Lee and they do thank her for everything that she has done for them. Councilmember Gordy further stated that they do not necessarily want to move forward without Ms. Lee but that they are so happy for her retirement and he is looking forward to celebrating with her. Councilmember Gordy stated that he coaches the nine and ten year olds in Upward Basketball and that they do devotionals with the kids and so when Pastor Grant Parker prayed about wisdom and knowledge, it made him think about how they tie that in to what they teach the kids. Councilmember Gordy also stated that he was thankful for a City Manager and City Department Heads that gather knowledge and have the wisdom from God to do the right thing because there are so many times that it could be a lot easier to not do the right thing which they have seen recently and tough decisions had to be made. Councilmember Gordy further stated that they do not always look like the good guy when the tough decisions have to be made but as long as we ultimately know that they are using the wisdom that God has given them to make the right decisions. Councilmember Gordy stated that he was thankful for the opportunity to think about the knowledge and the wisdom and to see it every day by the City Manager and City Departments and that he is grateful and appreciates them for what they do even though it can be a thankless job. Councilmember Gordy wished everyone a Merry Christmas and a Happy New Year.

Councilmember Day thanked the Lord for giving him the opportunity to serve for many years with this Council and with the Citizens of District Three, and that they had faith in him to serve because he knows it can be tough. Councilmember Day also thanked Mr. Hunter and his departments. Councilmember Day stated that he knows that City Clerk Melony Lee will be missed and she will miss working with Council as well. Councilmember Day also stated that Ms. Lee has always had a great attitude along with everyone in her office and they have been very helpful to him. Councilmember Day further stated to Mr. Hunter that he and his staff makes the Council's job so much easier with resolutions by providing all of the necessary documents and information for them to make the right decisions. Councilmember Day congratulated the Central High School Boys and Girls football teams for a job well done for our region. Councilmember Day also stated to the City Employees and the Department Heads, he wished them all a safe and Merry Christmas.

City Manager Wallace Hunter stated that they will need to start referring to Phenix City as the City of Champions throughout the City and great job to all the schools football teams on a winning season. Mr. Hunter also stated that he spent time prior to the meeting with Assistant City Manager Chan Gamble and they spoke about the appreciation of life and everything that they have to be thankful for. Mr. Hunter further stated that a lot of people complain about things but they are very fortunate and as we watch the news and see the things that are going on throughout the Country with disagreements, we are still living in the best place possible. Mr. Hunter stated that at times people may look at him and his controversial position and think that he is arrogant and that he believes that he has in made, however, his words for it is appreciation and thankfulness for the knowledge that God has provided and has placed him around people to be able to live the way that he does and have fun. Mr. Hunter also stated that he has been with the City so long that he has seen City Clerk Melony Lee work through her entire career and both of them where working two jobs when they first met, she was at JC Penny and he was at Kmart. Mr. Hunter further stated that Ms. Lee was trained by the very best that had worked for the City, Mr. Jay Thomas and that we have to be thankful for a person that has worked her entire career with the City. Mr. Hunter stated that he was laughing when she read the last Ordinance and was thinking that they had gotten everything out of her. Mr. Hunter also stated that they have spent a tremendous amount of time of their glorious life that God has given them together and he cannot

remember a crossed word between them and one thing that he could also depend on and felt good about is that certain people in this life will not rest if something is wrong and that Ms. Lee is one of those people. Mr. Hunter further stated that he has always known that Ms. Lee had his back no matter what and it has been a great relationship that went from professional to personal watching each other's family grow up. Mr. Hunter stated that he has always been appreciative to Ms. Lee knowing that she performed her job to the fullest and that everything was always completed and that the World has changed so much that people will never know the appreciation for someone that still works as she has. Mr. Hunter also stated that he knows that Ms. Lee has well trained her office staff but it is another phase of life that they are moving into and so many people have changed. Mr. Hunter further stated that things change because at one point he thought he would leave at the same time as Ms. Lee but that they both love Phenix City and all of the people and they have worked with thousands of people over the years. Mr. Hunter stated that they have seen a lot of families being raised and witnessed tragedies and it is as though he is losing a part of his work family. Mr. Hunter also stated that it has been a joy working with Ms. Lee. Mr. Hunter further stated that he appreciates everything that the Council has done and especially some of the recent issues they have been through and the tough decisions that had to be made with people while trying to do the right thing. Mr. Hunter stated that there were things said in the meeting that have made him feel tremendously good and so many things have been point on and that Councilmember Bailey should have been a preacher because he can feel the things that he spoke about trusting people. Mr. Hunter also stated that in his position, he has seen people elected in and out of the Council and they sometimes can understand why things cannot be done a certain way and it has been a challenge and a privilege to make certain that the team of professional people are doing their job and are trusted to do the right thing and to him that is the biggest accomplishment. Mr. Hunter further stated that when it comes to doing his job, he must treat everyone that same and he does not care if it is his worst enemy, the rules, guidelines and regulations will be applied to everyone in the same manner. Mr. Hunter stated that when it comes to personal relationships with the people that they have established in this City, they would do anything for him and he would do anything for them because they would not ask him to do anything wrong neither would he ask them to do anything wrong. Mr. Hunter also stated that in a world where people have so many different beliefs, he has his and people have theirs, he thanks God for giving him the voice to express himself and to say kind things that need to be said about people.

Mr. Hunter stated that lastly he wanted to address something and that is the amount of crime that's going on in the City and the effect that it has on the Citizens and City employees and one in particular that has recently happened with a young man that has impacted so many people. Mr. Hunter also stated that the Police Department solves crimes and they react real fast and have done a great job but it is the after the fact situation when the damage has already been done that causes a great emotional impact. Mr. Hunter further stated that the damage caused do to a recent incident has really hurt some of the City employees and that one of those is the Economic Development Manager Shaun Culligan and that the young man that was involved in the incident was in a power mentoring class with Mr. Culligan and the Police Department to prevent what happened in his life. Mr. Hunter further stated that they have programs in place to try and help young people before they get into that type of situation and that due to the situation that happened the past week, he noticed that some of the mentors are just broken but that he assured them that they did everything they could to ensure that nothing like that would happened. Mr. Hunter stated that he was proud of this departments and the work that they have all completed and that they work with a lot of children to try to help them to ensure that they do not go down the wrong path but that sometimes they have to have faith and save the ones that they can because they had done what they could do to save them. Mr. Hunter also stated that he applause the work that they

are doing and that they should not let anything get in the way and to continue what they have started in mentoring the youth.

Councilmember Day stated that as he looks back on the number of years he has served on the Council, each meeting begins with prayer. Councilmember Day also stated that he doesn't care where people may go or what they may do but that they should lift up the name of Jesus because there is nothing too hard for Jesus to handle or for people to handle, if they have Jesus in their hearts. Councilmember Day further stated that one thing he can say about this Council is that as they work together they discuss different things and that they are pleasant to work with. Councilmember Day stated to City Manager Wallace Hunter that he and his departments work very well together and that his departments respect him and that it makes the Council's job so much easier and also makes them look good. Councilmember Day also stated that as long as they do the right thing and place God first in everything they do, trusting and praying in God will change things. Councilmember Day further stated that he is honored to work with the City and Council and he can trust and feel comfortable with them.

Mayor Lowe stated that one of the most powerful things that we can do when it is done sincerely is to say thank you and build trust, and referring to Pastor Grant Parker's prayer, wisdom and understanding is powerful and this Council is always consistent with that message. Mayor Lowe also stated that when they were appointed to these positions, they never tell you that people will not like you and talk negative about you. Mayor Lowe further stated that if you can't trust a person to do their job, replace them with someone who can do the job and you can trust and then get out of their way and it is just that simple. Mayor Lowe commended Councilmember Bailey for speaking up and having the boldness to say what needed to be said as this is what every leader should have is boldness in being fearless and having courage that goes along with wisdom and understanding. Mayor Lower stated that if you do not have that you're not going to be able to have the wisdom and understanding if you're not going to be bold. Mayor Lowe also stated that he wanted the City and Community to come together tonight to support the football champions. Mayor Lowe further stated that at this time of year let's not forget to come together and let's try it throughout 2024 and show more love to one another and Merry Christmas.

Mayor Lowe stated to City Clerk Melony Lee that she is a traitor for leaving but that they still love her and that as City Manager Wallace Hunter stated that Ms. Lee is not going to allow anyone to do anything that's not within the guidelines and the policies which shows her courage and boldness. Mayor Lowe further stated to Ms. Lee that he appreciated her for keeping him accountable and that he always states to the ladies in the Clerk's Office when he is getting out of line to pull him by the ear because he needs that accountability. Mayor Lowe stated that he loved and appreciated all of the Department Heads and the City and that he is having so much fun because he loves people. Mayor Lowe also stated that he appreciated this Council for stepping up and doing what is right when it is needed because it is not always easy but to do the right thing is this Council's consistent message and that is what they have done right. Mayor Lowe asked Ms. Lee if she had any closing remarks before she retires.

City Clerk Melony Lee thanked everyone for giving her the opportunity to do the job that she has done. Ms. Lee stated that she appreciated City Manager Wallace Hunter for his confidence and for working with her and allowing her to work with the departments as it made her job easier. Ms. Lee also stated that Mr. Hunter has a wonderful staff and that the City Clerk's Office is wonderful and the ladies that are there are topnotch and that they are left in good hands with them. Ms. Lee further stated that she thanked each and every one and that she will miss them all and that it is bittersweet for her but that it is time for her to move on to another blessing. Ms. Lee stated that she did not want to stand in the way of someone else's blessing and thanked

everyone so much for the confidence in her and she has enjoyed working with everyone. Ms. Lee also stated that the Council has Phenix City in their heart and that it shows in everything that they do.

Mayor Lowe stated that we can all disagree and get mad at each other but if and when tomorrow comes that's behind us and we have to continue to show support and love for this Community and it is a really a good Community. Mayor Lowe also stated that the City has really prospered and grown because of this leadership and because their doing it the right way and he asked Pastor Grant Parker to keep praying and let all the other ministers know to keep praying and to lift Council and the entire City up in prayer. Mayor Lowe further stated that one day the ultimate question will be asked and will have to be answered and it is, what have you have done for others. Mayor Lowe wished everyone a Merry Christmas and a Happy New Year and hoped that they spend time with family and enjoy themselves but continue to be safe and continue to thank God for this City and its leaders as it is divinely ordered so they don't take that lightly.

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

There being no further business to address, the meeting thus adjourned until January 3, 2024.