

MEETING MINUTES
August 20, 2024

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, August 20, 2024 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 Steve Bailey, Councilmember R. Griff Gordy, and Mayor Eddie N. Lowe. Councilmember Vickey Carter was not present. Also present were City Manager Wallace Hunter, Assistant City Manager Chan Gamble, City Attorney Jimmy Graham, and City Clerk Shannon Davis.

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

Reverend Karen Seifert of Summerville Methodist Church delivered 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 August 5, 2024 Work Session Meeting and August 6, 2024 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, 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 declared that now was the time and place for an administrative hearing in reference to the revocation of business license for Epic Sports Bar and Grill. Mayor Lowe stated that anyone wishing to address council on this item should come forward and do so at this time. Christopher Mahone, the owner of Epic Sports Bar and Grill came forward to address Council. Councilmember Bailey asked Mr. Mahone if his establishment was a nightclub or a restaurant. Mr. Mahone stated that it is a restaurant inside of a sports bar. Councilmember Bailey then asked Mr. Mahone if there is a cover charge to get inside said business. Mr. Mahone stated yes and explained that the charge is to be able to pay the entertainment that he books to perform at Epic Sports Bar and Grill. Mayor Lowe called upon Assistant City Manager Chan Gamble to go over the specifics as to why the City is wanting to revoke the business license. Mr. Gamble went over the resolution that justifies Council being able to revoke a business license. Mr. Gamble went through the applications that Mr. Mahone had previously turned in for approval to the City and explained how Mr. Mahone did not provide all of the pertinent information that should have been included on the applications, such as Mr. Mahone's prior arrests and convictions. Mr. Gamble also stated that a Notice of Fire Code Violation was given to Epic Sports Bar and Grill in June 2024 due to the exit doors being locked and the hood system needing to be serviced. Mr. Gamble also stated that Alonzo Cliatt signed the code violation as the occupancy representative for Epic Sports Bar and Grill and also signed the inspection comment page as the owner/manager and or representative of said business. Mr. Gamble further stated that Mr. Cliatt's name was not listed the original application. Mr. Gamble played a video clip for Council and audience to view a couple of the different incidents that have taken place at the business and that Phenix City Police Officers have had to respond to. Mr. Gamble also played a video clip of

Mr. Mahone being interviewed on local CTV Beam by Loretta Rose on her show called Street Talk and pointed out that Mr. Mahone and Mr. Cliatt, who stated he was the co-owner, stated what kind of business he is going to be running. Mr. Gamble stated that it is putting a lot of strain on the police department. Police Chief George Staudinger stated that he had a meeting with Mr. Mahone on October 17, 2023 and asked him if there were any co-owners or if it was a sole proprietorship. Mr. Mahone stated he is the only owner and the one responsible for Epic Sports Bar and Grill. Chief Staudinger stated that it is a big drain on the Cities resources and gave a few examples of issues that have occurred at Epic Sports Bar and Grill, including a shooting that took place at the same location years ago. Mr. Cliatt came forward to address Council and stated that he was nowhere near the business or involved in any way until after Mr. Mahone had completed the license application. Mayor Lowe declared the administrative hearing closed.

Mayor Lowe presented a resolution in reference to the Revocation of Business License for Epic Sports Bar and Grill.

RESOLUTION NO. 2024-148

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

City Manager Wallace Hunter provided some background history on Phenix City, AL., and stated that it is his job to protect this City. Mr. Hunter also stated that if people hear that Phenix City is not a safe place to live then they will stop coming to Phenix City.

Mayor Lowe presented a resolution in reference to adopting the Annual Transportation Plan.

RESOLUTION NO. 2024-149

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

Mayor Lowe presented a resolution in reference to declaring items as listed on (Exhibit A) surplus to be disposed of at the City Landfill.

RESOLUTION NO. 2024-150

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

Mayor Lowe presented (6) resolutions in reference to declaring properties a public nuisance and authorizing and directing the Housing Abatement Board to take necessary action to demolish, remove and clear all building materials, trash, and debris from the following properties:

1. 2001 6th Avenue

RESOLUTION NO. 2024-151

2. 1608 8th Avenue

RESOLUTION NO. 2024-152

3. 906 18th Avenue

RESOLUTION NO. 2024-153

4. 912 18th Avenue

RESOLUTION NO. 2024-154

5. 1004 North Railroad Street

RESOLUTION NO. 2024-155

6. 1409 1st Place

RESOLUTION NO. 2024-156

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

Mayor Lowe presented a resolution in reference to accepting the dedication of public utilities and easements dedicated by the Final Plat of "Phenix City Retail Development Phase 2 – Lot 5" Lindstrom & Company, LLC, owner.

RESOLUTION NO. 2024-157

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, 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 lease agreement with Quadient Leasing for one DS-6KPS presser sealer for a monthly fee of \$209.52.

RESOLUTION NO. 2024-158

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, 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 for services with B&B Beverage Management allowing them to obtain a 140-Special Retail License at the Phenix City River Park on September 27, 2024.

RESOLUTION NO. 2024-159

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, 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 William Morris Endeavor Entertainment, LLC for Marty Stuart and his Superlatives to perform at the Phenix City Amphitheater on September 21, 2024.

RESOLUTION NO. 2024-160

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, 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 lease agreement with Quadient Leasing for mail inserter equipment for a monthly fee of \$1,243.69.

RESOLUTION NO. 2024-161

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: Councilmember Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to accepting a quote from Riley Heating & Air for the replacement of the No. 2 air conditioner unit for the Water Filtration Plant Building – A in an amount not to exceed \$9,921.00.

RESOLUTION NO. 2024-162

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: Councilmember Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to accepting a quote from Hawkins Inc., for the replacement of the soda ash feeder at the Water Filtration Plant in an amount not to exceed \$8,732.00.

RESOLUTION NO. 2024-163

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: Councilmember Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to accepting a quote from Moridge Manufacturing Inc., for the purchase of one Grasshopper Mower Model 325D in an amount not to exceed \$15,643.60.

RESOLUTION NO. 2024-164

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: Councilmember Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented two openings on the Personnel Review Board and stated that current members, Dimple Davis and Mattie Arrington both are willing to serve another term. Councilmember Day moved to reappoint Dimple Davis and Mattie Arrington which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented an opening on the Planning Commission and stated that current member, Jimmy Davis is willing to serve another term. Councilmember Day moved to reappoint Jimmy Davis, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion passed.

Mayor Lowe presented two Itemized Statement of Expenses for Peyton Fowler of the Fire Department in the total amount of \$85.08. Councilmember Gordy moved to approve the Itemized Statement of Expenses in the total amount of \$85.08, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented an Itemized Statement of Expense for Norman Russ of the Fire Department in the total amount of \$20.00. Councilmember Day moved to approve the Itemized Statement of Expense in the total amount of \$20.00, which motion was seconded by Councilmember Gordy, which upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented an Itemized Statement of Expense for Ryan Smith of the Fire Department in the total amount of \$44.16. Councilmember Gordy moved to approve the Itemized Statement of Expense in the total amount of \$44.16, which motion was seconded by Councilmember Bailey, which upon said motion being put to a vote, the following vote

was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented for first reading an application for an Off-Premise Beer License and Off-Premise Wine License submitted by Kapiraj Inc., dba Corner Store 105 located at 2100 Crawford Road, Phenix City, Alabama. Councilmember Gordy moved to place the applications on first reading, which motion was seconded by Councilmember Day, which upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented for first reading an application for an Off-Premise Beer License and Off-Premise Wine License submitted by Manisha Inc., dba Store 107, located at 1701 Crawford Road, Phenix City, Alabama. Councilmember Gordy moved to place the applications on first reading, which motion was seconded by Councilmember Bailey, which upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented for first reading an application for an Off-Premise Beer License and Off-Premise Wine License submitted by Manisha Inc. dba Store 111, located at 100 Stagecoach Drive, Phenix City, Alabama. Councilmember Day moved to place the applications on first reading, which motion was seconded by Councilmember Gordy, which upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented for first reading an application for an Off-Premise Beer License and Off-Premise Wine License submitted by Pranjali Inc. dba Store 103 located at 3829 US Highway 80 West, Phenix City, Alabama. Councilmember Day moved to place the applications on first reading, which motion was seconded by Councilmember Bailey, which upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented for first reading an application for an Off-Premise Beer License and Off-Premise Wine License submitted by Pranjali Inc. dba Store 103 Package located at 3829 US Highway 80 West, Suite B, Phenix City, Alabama. Councilmember Gordy moved to place the applications on first reading, which motion was seconded by Councilmember Bailey, which upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented for first reading an application for an Off-Premise Beer License and Off-Premise Wine License submitted by Varahi 1, Inc. dba Store 101, located at 2808 US Highway 80, Phenix City, Alabama. Councilmember Day moved to place the applications on first reading, which motion was seconded by Councilmember Gordy, which upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Mayor Lowe presented for first reading an application for an Off-Premise Beer License and Off-Premise Wine License submitted by Varahi 1, Inc. dba Store 108 located at 2220 4th Avenue, Phenix City, Alabama. Councilmember Day moved to place the applications on first reading, which motion was seconded by Councilmember Bailey, which upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

City Attorney Jimmy Graham presented a subrogation claim against the City of Phenix City, filed by Alfa Insurance on behalf of Wendy Birmingham. Mr. Graham stated that the claim alleges that on May 31, 2024 that Ms. Birmingham was parked and a police officer backed into her. Mr. Graham also stated that she filed a claim with her insurance company instead of with the city. Mr. Graham further stated City policy states that (3) estimates should be submitted with the claim and only (1) was submitted and based on that he recommends denial. Councilmember Gordy moved to approve the City Attorney's recommendation to deny the claim, which motion was seconded by Councilmember Day, which upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

City Attorney Jimmy Graham presented a subrogation claim against the City of Phenix City, filed by Country Financial on behalf of Lasondra Davis. Mr. Graham also stated that this claim was originally denied because the claim was not filed within the six month period time frame as is required by the Code of Alabama. Mr. Graham stated that when he spoke with a Country Financial Representative in regards to the denial, they stated that they would sue the city for Ms. Davis' \$500.00 deductible. Mr. Graham also stated that settling the claim for \$500.00 would cost less than court fees. Mr. Graham recommended settling the claim in the amount of \$500.00. Councilmember Day moved to settle the claim in the amount of \$500.00, which motion was seconded by Councilmember Gordy, which upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Councilmember Bailey stated, in regards to the business license for Epic Sports Bar and Grill that Council is responsible for protecting the employees, citizens and business owners, but legitimate business owners. Councilmember Bailey also stated that in reference to the body cam footage that was provided by Phenix City Police Department, there were entirely too many people inside and outside of said business and a lot of them are unsupervised and out in the parking lot and he feels that could cause major issues. Councilmember Bailey further stated that the original Business License that was turned in was untruthful and intentionally not filled out properly.

Mayor Lowe thanked everyone for watching and or attending. Mayor Lowe stated that he is very thankful for being a part of Council. Mayor Lowe also stated that this Council has decided to revamp the city's history and that they have come a long ways. Mayor Lowe further stated that he agrees with City Manager Wallace in regards to wanting people to come to Phenix City and bring their business too.

There being no further business to address, the meeting thus adjourned until September 4, 2024.