APPROVED AS PRESENTED TO COUNCIL 03/04/25

MEETING MINUTES
February 19, 2025

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Wednesday, February 19, 2025 at 9:00 a.m. 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 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 Tonya Williams.

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

Reverend Steve Pace of Summerville Baptist Church delivered the invocation.

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

Mayor Lowe called for a motion to appoint Tonya Williams as Acting City Clerk. Councilmember Day moved to approve, 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 the regularly scheduled meeting minutes of the February 3, 2025 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 Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the February 4, 2025 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Bailey. The motion thus passed.

Mayor Lowe stated there was no unfinished business to address at this time.

Mayor Lowe presented a two Resolutions and Public Notices in reference to setting public hearing dates and fixing demolitions costs associated with the following properties located in Phenix City*:*

1. 2001 6th Avenue

RESOLUTION NO. 2025-32
PUBLIC NOTICE

2. 1608 8th Avenue

RESOLUTION NO. 2025-33
PUBLIC NOTICE

Councilmember Day moved to approve the Resolutions and Public Notices, 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 and enter into a contract agreement with AlphaMap, LLC for a premium subscription to enhance data analysis capabilities in an amount not to exceed $9,995.00.

RESOLUTION NO. 2025-34

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 renew the contract with Robinson Paving Company for Bid Number E23-01 Hot Mix Asphalt Paving, Roadway, Drainage and City Facility and Property Improvements at the current contract unit prices.

RESOLUTION NO. 2025-35

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 and enter into an agreement with Terracon Consultants, Inc., to perform geotechnical investigation services at the Miracle League Field located at Lakewood Park in an amount not to exceed $10,000.00.

RESOLUTION NO. 2025-36

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 hire Gordy Construction Company to repair the Lynn Drive Sanitary Sewer Main in an amount not to exceed $127,250.00.

RESOLUTION NO. 2025-37

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 Letter of Recommendation from the Planning Commission, Public Notice and Ordinance to rezone 36.60+/- acres of land located on Colin Powell Parkway from an M-1 Zone (General Manufacturing District) to an M-2 Zone (Heavy Manufacturing District), Broken Arrow Land Holdings, LLC, owner.

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 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 Planning Commission. Councilmember Day moved to appoint Marcus Carr, 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 and On-Premise Whiskey Wine License, submitted by LYB 1995, LLC dba Acapulcos Mexican Restaurant located at 3844 US Highway 80 West Suite C, Phenix City, Alabama. Councilmember Day moved to place the applications 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.

Mayor Lowe presented for first reading an application for an Off-Premise Beer License, submitted by Crawford Market Inc., dba The Short Stop located at 5005 Summerville Road, Phenix City, Alabama. Councilmember Gordy moved to place the application 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.

Councilmember Bailey inquired as to the status of the new Utility Meters and the estimated Utility Billing. Councilmember Bailey stated that there is a lot of false information and he wanted to have it clarified for the citizens. Councilmember Bailey also stated that while some information may be legitimate, most of it is incorrect and even though the residents do have to pay the water bills, the City is ensuring it is feasible. Assistant City Manager Chan Gamble addressed Council and provided an overview of the way the meter's work and the breakdown of the Utility Bill process for citizens that have a past due amount due to the issue with the registers with the utility meters. Mr. Gamble stated that at the State of the City Address, he spoke on the issues and answered questions from the residents in regards to the bill issues. Mr. Gamble also stated that while some residents do have a past due balance due to the issues, some are also receiving credits for overpayment. Mr. Gamble further stated that the Utility Department is working with residents that request a payment plan for the past amounts. Mr. Gamble stated that only when a resident refuses to pay or make arrangements for payment will they possible have a disconnect. Councilmember

Bailey stated that the City does not have the staff to physically read ever meter. Mr. Gamble provided an overview for the new register's and how the new meters will function.

Councilmember Gordy stated that to his understanding, it was the register for the meter that was faulty and not omitting a reading and not the meter itself and that was how the Utility Department was able to go back and read for the last six months to compare. Assistant City Manager Chan Gamble stated that it was the register that was not working properly and sending the incorrect readings. Mr. Gamble also stated that the new registers that they will use to replace the old ones are the AMI System and they are the same as the ones that are used by Alabama Power Company.

Councilmember Day inquired if the residents were being charged for the water used on their side of the meters. Assistant City Manager Chan Gamble stated that the water has to go through the meter in order for usage to be tracked. Councilmember Day inquired about the commercial meters and whether or not there were any issues with the readings. Mr. Gamble stated that the commercial meters were not affected as much as the smaller resident registers were. Councilmember Gordy stated that the City is losing funds due to the issues because they are only going back six months to adjust the meter readings. Mr. Gamble stated that the City is not going back as far as they could which could be a year or more.

City Manager Wallace Hunter stated that the Utilities Department has done a good job and that they have been out at the residents, physically reading meters to ensure the readings were correct and to ensure the new system can be installed. Mr. Hunter asked Assistant City Manager Chan Gamble to explain how the defect in the current register's caused the burnout. Mr. Gamble stated that in the Master Meter Lawsuit, the City is stating that the company knew about the issues with the faulty meters for quite some time. Mr. Gamble provided an overview of the what the defect was with the register not providing the correct signal and how it affected the incorrect readings that the City received. Mr. Gamble stated that the Utilities Department is working diligently to assist the residents affected by the reading issues and that it is a small percentage of residents, under 10% that were under billed. Mr. Gamble also stated that the Public Service Commission states that they could go back three years but the City is only going back six months. Councilmember Bailey stated that if they really look at the cost of water and electricity, it does not cost much to run lights, air and plumbing in the average home. Councilmember Bailey also stated that no one wants to pay more for utilities but that it is the convenience of having the services that are needed.

City Manager Wallace Hunter stated that while they are appealing to the citizens for understanding the times that they have now, the citizens should also understand that the stock of registers available in the warehouses have to be replaced with new ones and that the Utilities Department employees are working very hard to get the job completed Mr. Hunter also stated that Master Meter Company is responsible for the issues as the defects were their responsibility. Mr. Hunter further stated that they are looking for patience from the citizens during this time of transition as well as at a time where hiring employees and keeping qualified employees is extremely hard. Mr. Hunter stated that with this being an election year, there are more false and negative comments going around on social media and that the City wants to ensure that they speak to any concerns and that the citizens know that there are people that care and are working hard to take care of any issues.

Mayor Lowe stated that other municipalities have had the same issues with the Master Meter Company and asked Assistant City Manager Chan Gamble to provided additional comments. Mr. Gamble stated that the City of Phenix City is not the only City that is suing the

Master Meter Company and that they are a national and international company that have provided millions of these meters to utility companies around the world. Mr. Gamble provided an overview of the issues with the impacted meters with the company and the CEO of the company stated that millions of the meters were affected by the defects. Mr. Gamble stated that the company asked that the Utility Departments not sue them but rather they would provide new systems instead but that was not an option for the City.

City Manager Wallace Hunter stated that on the bright side, through the hard work of the grant committee and Utility Director John Spraggins, the City should be notifying Council soon that they were able to apply and are to be given a grant for 5.7 million dollars to help with the cost in Utilities. Mr. Hunter congratulated Mr. Spraggins and the team that worked to secure the grant. Councilmember Day inquired if the grant was a 20% match. Assistant City Manager Chan Gamble stated that it was a 50% match. City Manager Wallace Hunter stated that they have already spent funds on the Waste Water Treatment Plant and that the match would help to recover those funds. Assistant City Manager Chan Gamble stated the four new primary clarifiers are in at the Waste Water Treatment Plant and they are projecting to have them all online and working properly by the first of April. Mr. Gamble also stated that the Utilities Department and the contractor have made tremendous progress in the water leaks throughout the City.

City Manager Wallace Hunter stated that the City has over a half of billion dollar operation in Utilities now with a system that is over 100 years old and have spent millions of dollars over the past two decades replacing and updating but still have a long way to go. Mr. Hunter also stated that there are hundreds of miles of pipe in the ground throughout this City and that it is not cheap to replace them and with everything else, the price has increased. Mr. Hunter further stated that the City is held to mandates and if they do not adhere to them, they can be fined and therefore he would like for the citizens to understand financial impacts that the City faces. Mr. Hunter stated that they would like to get back to teaching students at the treatment plants about the processes because years ago when this was the process, these students would take what they learned back to their parents and educated them as well.

Councilmember Bailey thanked City Manager Wallace Hunter and Assistant City Manager Chan Gamble for explaining and providing the insight to his questions and the questions from the citizens. Mr. Gamble stated that he has spoken at the State of the City, WRBL and WTVM and answered questions and provided feedback regarding the leak issues and will continue to answer all questions that he receives.

City Manager Wallace Hunter stated that there has also been a lot of negative comments around the closing of local restaurant/bars. Mr. Hunter also stated that some comments were made regarding an establishment on Highway 80 and why it has not been closed down. Mr. Hunter further stated that the establishment in question is not in the City's Police Jurisdiction and additionally, there have been no reports of any incidents that have taken place at the location. Mr. Hunter stated that he wants to ensure that citizens are getting the correct information before believing the hearsay and gossip that has been posted on Facebook. Mr. Hunter also stated that the owner of the most recent establishment that had its liquor licenses revoked was in the City Clerk's office and they had a very engaging conversation on how to proceed for the next time with the owner and it was a productive conversation and that it should always be open and honest communication. Mr. Hunter further stated that when the City is notified of these types of issues, they must react as they are dealing with tax payer's money and the City becomes liable for the issues when someone is injured or they die from the incidents. Mr. Hunter stated that some are saying that the City is losing funds when they revoke a liquor licenses or close an establishment but that there are some types of funds that the City does not want and that years ago Phenix City

relied on revenue from those types of businesses but that is not the cause today. Mr. Hunter also stated that in 1954 the estimated City budget was over one hundred million dollars and it was due to the types of businesses that were allowed in the City that were controlled by mobs and gangs. Mr. Hunter further stated that it has taken the City almost two decades of time to change the tax base for the City to ensure that the City of Phenix City Departments have the funds that they need to maintain and service the City and that the City does not want to ever go back to the way it was. Mr. Hunter stated that they should talk about the positive and the businesses that have never had any incidents.

Mayor Lowe stated that there are rumors about stolen funds from the City by City Manager Wallace Hunter and himself and that it is not true and that the Council is not going to allow anyone to spread untrue comments and gossip. Mayor Lowe also stated that their integrity is the only thing they should have to fight for and that they will not allow their character to be attacked. Mayor Lowe further stated that every member of the Council, freely gives of themselves to serve the citizens and make things better for this community and in return their character gets beat up and talked about. Mayor Lowe stated that all of the negative gossip needs to stop and he encourages everyone to take a look at themselves and be bold enough to bring the questions and concerns directly to Council and have a conversation. Mayor Lowe also stated that the Council is forth right and to reference what the Assistant City Manager Chan Gamble stated, that there is nothing that the City has done that is illegal. Mayor Lowe further stated that the Council position should be given to those that will continue to fulfil the position, with honor and integrity to support the people of the community.

City Manager Wallace Hunter stated that when he took the position as City Manager, he had to cash in a CD to pay payroll for employees. Mr. Hunter also stated that he has gotten to the point where he does not listen to the negativity because it is an ignorance that you cannot do anything with. Mr. Hunter further stated that if people enjoy the negativity, let them enjoy it.

Mayor Lowe stated that someone can tell on themselves and not even realize it but that he can assure the citizens that this Council has done what is right and have taken the bold steps to do the right thing.

Mayor Lowe thanked everyone in the Council and the entire team of employees that work for the city and the citizens of Phenix City, Alabama. Mayor Lowe thanked CTV-Beam for bringing the council meeting to the citizens. Mayor Lowe encouraged everyone to do something good every single day.

There being no further business to address, the meeting thus adjourned until March 4, 2025.