

**MEETING MINUTES
MAY 18, 2016**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled meeting at 6:00 p.m., Wednesday, May 18, 2016 in the Council Chambers located within the Public Safety Building at 1111 Broad Street, Phenix City, Alabama. Upon roll call the following members were present: Councilmember Arthur L. Day, Councilmember Gail N. Head Councilmember Jim W. Cannon, Councilmember Johnny Barfield, and Mayor Eddie N. Lowe. Also present were City Manager Wallace B. Hunter, City Attorney James P. Graham, and City Clerk Charlotte L. Sierra.

Reverend James Eberhardt, Associate Minister of Franchise Missionary Baptist Church came forward to lead the invocation.

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

Mayor Lowe presented for approval the minutes of the May 2, 2016 work session. Councilmember Day moved to approve the minutes, which motion was seconded by Councilmember Cannon. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Head. The motion thus carried.

Mayor Lowe presented for approval the minutes of the May 3, 2016 council meeting. Councilmember Barfield moved to approve the minutes, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Head. The motion thus carried.

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

Mayor Lowe next presented a resolution in reference to authorizing the Mayor and City Manager to enter into an agreement with The Russell County Sheriff's Department for the use and maintenance of a 700MHz Radio System.

RESOLUTION NO. 2016-166

Councilmember Barfield moved to approve said resolution, which motion was seconded by Councilmember Head. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to granting an easement to Alabama Power Company to perform maintenance on existing infrastructure in Austin Sumbry Park.

RESOLUTION NO. 2016-167

Councilmember Day moved to approve the resolution, which motion was seconded by Councilmember Barfield. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to granting an encroachment to Charlie H. Parish, III and Donna Parish to place a fence on city right-of-way.

RESOLUTION NO. 2016-168

Councilmember Cannon moved to approve said resolution which motion was seconded by Councilmember Head. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to enter into an agreement with Constantine Engineering, Inc. for professional services for the Mill Creek Sanitary Sewer Crossing Rehabilitation Project in an amount not to exceed \$6,800.00.

RESOLUTION NO. 2016-169

Councilmember Day moved to approve said resolution which motion was seconded by Councilmember Barfield. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to enter into an agreement with Constantine Engineering, Inc. for professional services in the maintenance of water and wastewater infrastructure in an amount not to exceed \$75,000.00.

RESOLUTION NO. 2016-170

Councilmember Day moved to approve said resolution which motion was seconded by Councilmember Barfield. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into a lease agreement with Best Copy Products, Inc. for one (1) Sharp MX-5141N Color Series Document System in a monthly amount of \$316.66.

RESOLUTION NO. 2016-171

Councilmember Head moved to approve said resolution which motion was seconded by Councilmember Barfield. Upon said motion being put to a vote, the following vote was

recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to awarding a bid to Beshears Tractor and Equipment for a Compact Excavator in an amount not to exceed \$34,290.00.

RESOLUTION NO. 2016-172

Councilmember Barfield 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, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to declaring thirty-seven (37) mattresses and twenty (20) box springs as surplus to be disposed of at the landfill.

RESOLUTION NO. 2016-173

Councilmember Cannon 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, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to declaring various items as surplus to be sold as scrap or disposed of at the landfill if not successfully sold.

RESOLUTION NO. 2016-174

Councilmember Head moved to approve the resolution which motion was seconded by Councilmember Barfield. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to declaring one 1998 Chevy C10 Truck and one 2004 Ford F350 Truck as surplus to be sold as scrap.

RESOLUTION NO. 2016-175

Councilmember Barfield 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, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe next declared that now was the time and place for a public hearing regarding the rezone of 0.085 acre tract of land located on Day Lily Court, from an R-2 Zone to an A-O Zone, and from an A-O Zone to an R-2 Zone, Hard-Ing Builders, LLC and McIntosh Homeowners Association, owners. Anyone wishing to address council regarding this matter should come forward now. Neither hearing nor seeing anyone come forward to address council, Mayor Lowe declared the public hearing closed.

Mayor Lowe presented for second reading an ordinance to rezone a 0.085 acre tract of land located on Day Lily Court, from an R-2 Zone to an A-O Zone, and from an A-O Zone to an R-2 Zone, Hard-Ing Builders, LLC and McIntosh Homeowners Association, owners.

ORDINANCE NO. 2016-08

Councilmember Day moved to approve the ordinance which motion was seconded by Councilmember Barfield. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe next declared that now was the time and place for a public hearing regarding an ordinance to annex 4.57+/- acres of land lying in Section 28, Township 18 North, Range 30 East, Lee County, Alabama, into a R-1B Zone, located at 4380 Lee Road 248, JD

Real Properties, LLC, owner. Marie Eden came forward to address council regarding her claim. Mayor Lowe advised her that this was not proper procedure to speak with council. This hearing is limited to the annexation rezoning of the property located at 4380 Lee Road 248. Neither hearing nor seeing anyone come forward to address council on this issue, Mayor Lowe declared the public hearing closed.

Mayor Lowe presented for second reading an ordinance to annex 4.57+/- acres of land lying in Section 28, Township 18 North, Range 30 East, Lee County, Alabama, into a R-1B Zone, located at 4380 Lee Road 248, JD Real Properties, LLC, owner.

ORDINANCE NO. 2016-09

Councilmember Cannon moved to approve the ordinance which motion was seconded by Councilmember Head. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented one opening on the Phenix City Planning Commission Board. Councilmember Cannon nominated Tony Taylor to be appointed. There were no other nominations. Mayor Lowe declared the nominations closed. Mayor Lowe asked for a motion to appoint Tony Taylor to the Phenix City Planning Commission Board. Councilmember Head moved to appoint Tony Taylor, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus carried.

Mayor Lowe presented one opening on the Zoning Adjustment and Appeals Board. Councilmember Head nominated Ralph Morris to be appointed. There were no other nominations. Mayor Lowe declared the nominations closed. Mayor Lowe asked for a motion to appoint Ralph Morris to the Zoning Adjustment and Appeals Board. Councilmember Cannon

moved to appoint Ralph Morris, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus carried.

Mayor Lowe presented one opening on the Phenix City Board of Education. Councilmember Day nominated Cordelia Moffett to be appointed. There were no other nominations. Mayor Lowe declared the nominations closed. Mayor Lowe asked for a motion to appoint Cordelia Moffett to the Phenix City Board of Education. Councilmember Cannon moved to appoint Cordelia Moffett, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Cannon, and Mayor Lowe. NAYS: Councilmembers Head and Barfield. ABSTAIN: None. The motion thus carried.

Mayor Lowe presented for second reading applications for an Off Premise Beer License and an Off Premise Wine License submitted by Azair Tariq for AzairMaryam, Inc. d/b/a Lucky Store located at 322 10th Avenue South, Phenix City, Alabama. Councilmember Day moved to approve the applications, which motion was seconded by Councilmember Barfield. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to enter into an agreement with ALDOT for emergency repairs on Stadium Drive.

RESOLUTION NO. 2016-176

Councilmember Day moved to approve the resolution which motion was seconded by Councilmember Barfield. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to enter into an agreement with ALDOT for emergency repairs on Martin Luther King, Jr. Parkway.

RESOLUTION NO. 2016-177

Councilmember Cannon moved to approve the resolution which motion was seconded by Councilmember Head. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Engineering and Public Works Director Angel Moore commented on the Emergency relief funds and advised council that the city will be receiving money from the Federal Highway Administration for the disaster that happened around Christmas time when the floods came through.

City Manager Wallace Hunter spoke on how much he appreciated the Department Heads and wanted to address Council to let them know of how good of a job the Department Heads do and they always follow the letter of the law.

Councilmember Day commented on how blessed the City of Phenix City is to have a great staff.

Mayor Lowe thanked CTV for donating their time and resources for the recording of the city's Council Meetings.

Mayor Lowe thanked the department heads for their work.

There being no further business to come before council, the meeting adjourned until June 7, 2016 at 9:00 a.m.