

MEETING MINUTES
June 21, 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., Tuesday, June 21, 2016 at the Central Activity Center located in , 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 Steven Reneau, Pastor of Trinity United Methodist Church came forward to lead the invocation.

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

Mayor Lowe presented certificates to the 2016 Mayor's Ball for Education and Charity Scholarship winners.

PRESENTATION

The 2016 Recipients came forward to accept their scholarship certificates.

Mayor Lowe presented for approval the minutes of the June 6, 2016 work session and the June 7, 2016 council meeting. Councilmember Cannon moved to approve the minutes, 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 stated there was no unfinished business to address at this time.

Mayor Lowe next stated that now was the time and place for a public hearing in reference to making application to the Bureau of Justice for a Justice Assistance Grant (JAG) for purchasing equipment for the Police Department. Mayor Lowe stated anyone wishing to

address council should come forward and do so at this time. Chief of Police Ray Smith came forward to address council. Chief Smith stated the department will purchase automatic license plate readers with the funds. Neither hearing nor seeing anyone come forward, Mayor Lowe declared the hearing closed.

Mayor Lowe presented a public hearing and resolution in reference to making application to the Bureau of Justice for a Justice Assistance Grant (JAG) for purchasing equipment for the Police Department.

RESOLUTION NO. 2016-199

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 renewing contracts with PRA Government Services, LLC d/b/a RDS for remittance processing, revenue analysis and compliance services.

RESOLUTION NO. 2016-200

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 allowing the Phenix City Police Department to enter into a Professional Services contract and Mutual Aide agreement with the City of Auburn, Alabama.

RESOLUTION NO. 2016-201

Councilmember Head moved to approve the resolution, which motion was seconded by Councilmember Cannon. 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 accepting the dedication of land, right-of-ways and easements as dedicated by the "Plat of Property Division for McCollum Real Estate Investments, LLC, Dan's Hardware & Supply, Inc., RREF SNV III AL TPT, LLC, DLT, LLC" located in Sections 13 & 14, Township 17 North, Range 29 East, Russell County, Alabama, McCollum Real Estate Investments, LLC, Dan's Hardware & Supply, Inc., RREF SNV III AL TPT, LLC, DLT, LLC.

RESOLUTION NO. 2016-202

Councilmember Cannon moved to approve 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 authorizing the takeover monthly payments for eight (8) street lights within the Phenix City portion of the Shadow Wood Subdivision.

RESOLUTION NO. 2016-203

Councilmember Day moved to approve 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, Barfield and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Cannon. The motion thus carried.

Mayor Lowe presented five (5) 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.) 2402 5th Avenue

RESOLUTION NO. 2016-204

PUBLIC NOTICE

2.) 522 22nd Avenue

RESOLUTION NO. 2016-205

PUBLIC NOTICE

3.) 103 14th Court

RESOLUTION NO. 2016-206

PUBLIC NOTICE

4.) 110 14th Court South

RESOLUTION NO. 2016-207

PUBLIC NOTICE

5.) 1011 4TH Street South

RESOLUTION NO. 2016-208

PUBLIC NOTICE

Councilmember Head moved to approve said resolutions 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 seven (7) resolutions in reference to declaring property 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 property at the following locations:

1.) 2000 4th Avenue

RESOLUTION NO. 2016-209

2.) 910 8th Avenue

RESOLUTION NO. 2016-210

3.) 201 10th Avenue

RESOLUTION NO. 2016-211

4.) 301 21st Street

RESOLUTION NO. 2016-212

5.) 2400 31st Street

RESOLUTION NO. 2016-213

6.) 706 Dillingham Street

RESOLUTION NO. 2016-214

7.) 918 North Railroad Street

RESOLUTION NO. 2016-215

Councilmember Day moved to approve the resolutions, 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. ABSTAIN: None. The motion carried.

Mayor Lowe presented a resolution in reference to the purchase of one (1) John Deere 5085E Utility Tractor and one (1) John Deere HX 15 540 RPM ROT Cutter 6WHL in the amount of \$61,065.73 from Sneed AG Supply & Service, Inc. for the Limbs and Debris Division.

RESOLUTION NO. 2016-216

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.

Mayor Lowe presented a resolution in reference to authorizing the purchase of 107 new HK VP40 duty weapons for the Police Department in the amount of \$15,975 from Heckler & Koch, Columbus, Georgia.

RESOLUTION NO. 2016-217

Councilmember Barfield 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.

Mayor Lowe presented for second reading an ordinance to amend the Code of Ordinances of the City of Phenix City, Alabama, Chapter 15 – Offenses and Miscellaneous Provisions, Section 15-16 – Discharging Firearms. Mayor Lowe called on Chief of Police Ray Smith in reference to adding a clause for the violation.

ORDINANCE NO. 2016-10

Councilmember Day moved to approve the ordinance to include the amendment as stated by Chief Smith, 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 for second reading an ordinance in reference to the use of Electronic Vote Counting Devices.

ORDINANCE NO. 2016-11

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

Mayor Lowe presented two tabled openings to the Industrial Development Board. Councilmember Cannon moved to table the two openings, 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. ABSTAIN: None. The motion carried.

Mayor Lowe presented one tabled opening on the Downtown Redevelopment Authority. Councilmember Day moved to table the opening, which motion was seconded by Councilmember Barfield. Upon said motion being put to a vote, the following vote was recorded: Councilmembers Day, Head, Cannon, Barfield, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

Mayor Lowe presented for second reading applications for an Off Premise Beer License and an Off Premise Wine License submitted by Fred's Store of Tennessee, Inc. d/b/a Fred's Store #2178 located at 3920 US Highway 80 West, 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 carried.

Mayor Lowe presented for first reading applications for Advance America located at 1105 280 Bypass, Phenix City, Alabama. Councilmember Barfield moved to place the applications on first reading, which motion was seconded by Councilmember Head. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day,

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

Mayor Lowe presented for first reading applications for Advance America located at 2032 280 Bypass, Phenix City, Alabama. Councilmember Head moved to place the applications on first reading, which motion was seconded by Councilmember Barfield. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Head, Barfield, and Mayor Lowe. NAYS: Councilmembers Day and Cannon. ABSTAINS: None. The motion carried.

Mayor Lowe presented for first reading applications for First American Cash Advance at 1807 Stadium Drive, Suite 2, Phenix City, Alabama. Councilmember Barfield moved to place the applications on first reading, which motion was seconded by Councilmember Head. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Head, Barfield, and Mayor Lowe. NAYS: Councilmembers Day and Cannon. ABSTAINS: None. The motion carried.

City Attorney Jimmy Graham presented a claim filed by John K. Greene. City Attorney Jimmy Graham advised the claim alleges that the City of Phenix City is responsible for damages to the claimant's vehicle. City Attorney Jimmy Graham stated that the location that the incident took place was 2100 9th Avenue, Phenix City, Alabama. City Attorney Graham further stated that the memorandum and the photographs from the Chief of Police Ray Smith's Department show that in order for Mr. Greene to hit the uncovered water drain, he would have been off of the road surface. City Attorney Jimmy Graham recommended denying the claim. Councilmember Cannon moved to take 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, Head, Cannon, Barfield and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

Mayor Lowe presented a resolution authorizing the Mayor and City Manager to enter into an agreement with ALDOT for Railroad Grade Crossing Improvements at the intersection of 10th Avenue.

RESOLUTION NO. 2016-218

Councilmember Day 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.

Mayor Lowe presented a resolution authorizing the Mayor and City Manager to enter into an agreement with ALDOT for Railroad Grade Crossing Improvements at the Intersection of 11th Avenue.

RESOLUTION NO. 2016-219

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.

Mayor Lowe presented a resolution authorizing and directing the Mayor and City Manager to sign Change Order Number 2 with J&P Construction Co., for the WWTP Improvements Project, Phase 1.

RESOLUTION NO. 2016-220

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.

Utilities Director Roger Conner spoke on the Digester project and the operation treatment of the sewage and equipment in the river that was contracted back in 2010 and 2011. Mr. Roger Conner stated that he would like to go before council in the near future and seek approval to get the Digester 1 project back in operation.

Mayor Lowe thanked the Department Heads for their hard work.

Councilmember Head spoke on Haley Barbour winning Miss Alabama. Councilmember Head also stated that Ms. Barbour will go on to compete for the Alabama Pageant in September.

Councilmember Barfield stated that he is running for District two.

Councilmember Day stated that he is running for re-election for District three.

Councilmember Cannon and Councilmember Head both stated that they will not be running for office.

Mayor thanked his wife Deborah Lowe and the Mayor's Ball committee for all of their hard work.

Mayor Lowe thanked CTVEA for donating their time and resources for the recording of the city's council meetings.

Councilmember Day spoke on the Special Guest Program that he started in 2015. Councilmember Day stated that he would like for all citizens to come and join him each month at 6:00 p.m. to see how the City Government functions.

There being no further business to come before council, the meeting adjourned until July 6, 2016 at 9:00 a.m.