

**MEETING MINUTES  
SEPTEMBER 20, 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, September 20, 2016 at the 5<sup>th</sup> Street South Youth Center located at 1601 5<sup>th</sup> Street South, Phenix City, Alabama. Upon roll call the following members were present: Councilmember Arthur L. Day, Councilmember Gail N. Head, Councilmember Jim 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 Alan Griffith, Pastor of Emmanuel Baptist Church came forward to lead the invocation.

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

Mayor Lowe presented for approval the minutes of the September 6, 2016 work session and the September 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 presented Resolution No. 2016-311 to be ratified in reference to authorizing the Mayor and City Manager to enter into a contract with Local Government Services, LLC in an amount not to exceed \$5,000.00 plus direct expenses to develop a Franchise Agreement for Telecommunications Management Services.

**RESOLUTION NO. 2016-311**

Councilmember Day moved to ratify 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 Resolution No. 2016-312 to be ratified in reference to authorizing the Mayor and City Manager to purchase property located at 1213 and 1211 7<sup>th</sup> Avenue in an amount not to exceed \$75,000.00.

**RESOLUTION NO. 2016-312**

Councilmember Barfield moved to ratify 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 authorizing and directing the Mayor and City Manager to enter into a Contract Agreement with the Phenix City Housing Authority in an amount not to exceed \$65,000.00.

**RESOLUTION NO. 2016-313**

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 in reference to awarding a bid to Ozark Striping Company, Inc. for Traffic Striping and Markings.

**RESOLUTION NO. 2016-314**

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 authorizing and directing the Mayor and City Manager to enter into an agreement with Best Copy Products, Inc. for one Sharpe MX-5050N Color Series Document System for 36 month term with total payout of \$8,646.84.

**RESOLUTION NO. 2016-315**

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 in reference to declaring various items as surplus to be sold on govdeals.com or sold as scrap or disposed of at the landfill.

**RESOLUTION NO. 2016-316**

Councilmember Barfield 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 in reference to purchasing a Polaris GEM e2 Vehicle from East Alabama PowerSports, LLC, in the amount of \$15,799.00.

**RESOLUTION NO. 2016-317**

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. ABSTAIN: None. The motion carried.

Mayor Lowe next stated that now was the time and place for a public hearing regarding the rezone of 0.42 acre tract of land located at 2713 17<sup>th</sup> Street from an R-1 Zone to a C-4 Zone, John S. and Sara J. Osteen, owners. Anyone wishing to address council regarding this matter should come forward now. Mr. Eddie Eubanks came forward with an enlarged map of the property and stated that he was there to represent Mr. John S. and Sara Osteen. Mr. Eubanks stated that Mr. Osteen wants to enhance the property value for future resale and there is currently no sale pending on the property. Judge Alford Harden came forward and stated that the request to rezone the property located at 2713 17<sup>th</sup> Street does not meet the standards or

the codes due to the measurements of the roads. Mayor Lowe next declared the public hearing closed.

Mayor Lowe presented an ordinance to rezone a 0.42 acre tract of land located at 2713 17<sup>th</sup> Street from R-1 Zone to a C-4 Zone, John S. and Sara J. Osteen, owners. Mayor Lowe asked for a motion. No one made a motion. Mayor Lowe advised the item failed for lack of motion.

Mayor Lowe presented for first reading an ordinance to amend Ordinance No. 2005-26 of the City of Phenix City, Alabama relating to permit fees.

#### **ORDINANCE 2016-15**

Mayor Lowe asked for a motion to Suspend the Rules because he stated Senate Bill 170 was signed by the Governor on June 3, 2015 and the ordinance will go into effect on October 1, 2016. Councilmember Head moved to Suspend the Rules, 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. Councilmember Cannon moved for approval, 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 opening on the Historic Preservation Commission Board and one opening on the Zoning Adjustment and Appeals Board. Mayor Lowe stated that the two openings will be tabled. Mayor Lowe asked for a motion to table. Councilmember Barfield moved to table the opening, 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 carried.

Mayor Lowe presented for second reading applications for an Off Premise Beer License and an Off Premise Wine License submitted by Dolgencorp, LLC d/b/a Dollar General Store

#8091 located at 3902 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 second reading applications for an On Premise Beer License, an On Premise Wine License, and on Premise Whiskey/Wine License submitted by Sylvia Griggs for Shadex Lounge located at 282 Highway 165, Phenix City, Alabama. Councilmember Barfield moved to approve the applications, 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 carried.

Mayor Lowe presented for first reading applications for an Off Premise Beer License, and an Off Premise Wine License submitted by Dolgencorp, LLC d/b/a Dollar General Store #16535 located at 7 Griggs Road, Fort Mitchell, Alabama. Councilmember Day moved to place the applications on second reading, 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 an Itemized Statement of Expense from Benjamin C. Boswell in the amount of \$43.44. Councilmember Head moved to approve the expense, 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 an Itemized Statement of Expense from Trent Posey in the amount of \$39.06. Councilmember Cannon moved to approve the expense, 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 carried.

City Attorney Jimmy Graham presented a claim filed by Mr. Joseph Head. City Attorney Graham stated that Mr. Head was traveling south on 431 South approaching Highway 165, when an object flew off the truck of a City vehicle and struck Mr. Head's truck causing damage to the windshield of his vehicle. City Attorney Graham further stated that due to the investigation his recommendation is to pay the lowest estimate in the amount of \$561.62. Councilmember Day moved to take the city attorney's recommendation to pay the lowest estimate of \$561.62, 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.

Councilmember Day spoke on the representation of Phenix City at the Latino Festival that was held at the Civic Center.

Councilmember Day spoke on the low attendance of citizens over the last four years at the 6:00 p.m. council meetings and how this will be the last 6:00 p.m. meeting for the year.

Councilmember Day informed the citizens that he will be holding Town Hall meetings in District Three in February of 2017. Mr. Day further stated that he will begin his Let's Talk Conferences in March 2017 and go through August 2017, with meetings every third Saturday from 9:00 a.m. to 12:00 p.m.

Mayor Lowe spoke on council wanting to get more participation from the citizens and that was the reason for changing the second meeting of the month to 6:00 p.m. The Mayor stated that council will put it in the form of a vote at the next meeting and that could change when the new council comes in.

Mayor Lowe thanked the Department Heads for their hard work.

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

There being no further business to come before council, the meeting adjourned until  
October 4, 2016 at 9:00 a.m.