

**MEETING MINUTES
OCTOBER 4, 2016**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled meeting at 9:00 a.m., Tuesday, October 4, 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 Johnny Barfield, and Mayor Eddie N. Lowe. Councilmember Jim Cannon was not present. Also present were City Manager Wallace B. Hunter, City Attorney James P. Graham, and City Clerk Charlotte L. Sierra.

Reverend Tommy Poole, Pastor of Russell Baptist Association came forward to lead the invocation.

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

City Manager Wallace Hunter and Human Resources Generalist Eliza Phillips presented Certificates of Appreciation to the following employees for Years of Dedicated Service: Richard Carlson, Phillip Gosser, Michael Darlington, Roger Conner, and Todd Griffith.

Mayor Lowe presented a proclamation recognizing Breast Cancer Awareness Month.

PROCLAMATION

Cheryl Johnson, LaJuanda Waits-Arrington and staff, Paint the Town Pink Committee Members and West Georgia Cancer Coalition Board of Directors came forward to accept the Proclamation.

Mayor Lowe presented for approval the minutes of the September 19, 2016 work session and the September 20, 2016 council meeting. Councilmember Day 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, 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. 2016-318 to be ratified in reference to purchasing two 2017 Ford Expeditions from Stivers Ford in an amount not to exceed \$65,416.00.

RESOLUTION NO. 2016-318

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

Mayor Lowe presented a resolution in reference to additional budget transfers for the 2015-2016 Fiscal Year.

RESOLUTION NO. 2016-319

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, 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, City Manager, and Police Chief to enter into an agreement for the administration of the Southeast Alabama Regional Highway Safety Office – Enterprise State Community College Community Traffic Safety Program Funds from October 1, 2016 through September 30, 2017.

RESOLUTION NO. 2016-320

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, 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 3 with J&P Construction Co., Inc. for the WWTP Improvements Project, Phase 1.

RESOLUTION NO. 2016-321

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

Mayor Lowe presented a resolution authorizing an Escrow Trust Agreement and Related Transactions in Connection with the Refunding of the City of Phenix City's General Obligation School Warrants, Series 2007-B.

RESOLUTION NO. 2016-322

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

Mayor Lowe next stated that now was the time and place for a public hearing in reference to the fixing of costs incurred by the City of Phenix City for the removal of a substandard structure and the establishment of a special assessment upon property located at 316 15th Avenue South. Mayor Lowe stated anyone wishing to address council on the following property should come forward and do so at this time. Neither hearing nor seeing anyone come forward, Mayor Lowe declared the hearing closed.

Mayor Lowe presented a resolution in reference to the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of a special assessment upon the property located at:

316 15th Avenue South

RESOLUTION NO. 2016-323

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

Mayor Lowe presented a resolution in reference to rescinding Resolution No. 2016-150 in reference to purchasing one 2016 Ford F-350 Regular Cab & Chassis for the Vehicle Maintenance Division.

RESOLUTION NO. 2016-324

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

Mayor Lowe presented a resolution in reference to purchasing one 2017 Ford F-350 Regular Cab & Chassis from Tallassee Automotive, Inc. in an amount not to exceed \$58,289.00.

RESOLUTION NO. 2016-325

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, Barfield, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

Mayor Lowe presented a resolution in reference to rescinding Resolution No. 2014-334 in reference to declaring one 1998 Ford Crown Victoria as surplus.

RESOLUTION NO. 2016-326

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, Barfield, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

Mayor Lowe presented a resolution in reference to declaring one 1998 Ford Crown Victoria as surplus to be sold as scrap.

RESOLUTION NO. 2016-327

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, Barfield, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

Mayor Lowe presented a resolution in reference to declaring various items as surplus to be auctioned on GovDeals.com to the highest bidder or disposed of at the landfill.

RESOLUTION NO. 2016-328

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, Barfield, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

Mayor Lowe presented for first reading an ordinance to exempt certain items from Municipal Sales and Use Tax during the last full weekend in February 2017, referred to as the Severe Weather Preparedness Tax Holiday. Councilmember Day moved to place the ordinance 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: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented for first reading an ordinance granting a franchise to Alabama Gas Corporation. Councilmember Head moved to table 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, Barfield, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented one opening on the Historic Preservation Commission Board. Mayor Lowe stated that the one opening will be tabled. Mayor Lowe asked for a motion to table. 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: YEAS: Councilmembers Day, Head, Barfield, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented one opening on the Zoning Adjustment and Appeals Board. Mayor Lowe stated that the one opening will be tabled. Mayor Lowe asked for a motion to table. Councilmember Day moved to table the opening, 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: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented five (5) openings on the Housing Code Abatement Board. Mayor Lowe stated that the five openings will be tabled. Councilmember Barfield moved to table the openings, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Head, Barfield, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented one opening on the Improvement District – Brickyard Project. Mayor Lowe asked for a motion for the reappointment of George Melton. Councilmember Day moved to reappoint George Melton, 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: None. The motion carried.

Mayor Lowe presented one opening on the Improvement District - Grand Reserve Project Board. Mayor Lowe stated that one opening will be tabled. Mayor Lowe asked for a motion to table. Councilmember Barfield moved to table the opening, 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: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented two (2) openings on the City of Phenix City Planning Commission. Mayor Lowe stated that two openings will be tabled. Mayor Lowe asked for a motion to table. Councilmember Day moved to table the openings, 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: None. The motion carried.

Mayor Lowe presented one opening on the Tree Commission. Mayor Lowe stated that one opening will be tabled. Mayor Lowe asked for a motion to table. Councilmember Head 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: YEAS: Councilmembers Day, Head, 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 #16535 located at 7 Griggs Road, Fort Mitchell, 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, 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 amounts of \$40.00, \$48.48, and \$34.79 totaling \$123.27. Councilmember Barfield moved to approve the expense, 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: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented an Itemized Statement of Expense from Mayor Eddie N. Lowe in the amount of \$144.85. Councilmember Barfield 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, and Barfield. NAYS: None. ABSTAINS: Mayor Lowe. The motion carried.

City Attorney Jimmy Graham presented a claim filed by Ms. Donna Davis. City Attorney Graham stated that Ms. Davis addressed the situation at the previous Work Session and she is claiming damage to a home that is over one hundred years old by a water runoff on the city street. City Attorney Jimmy Graham stated that based on the memorandum prepared by the Public Works Director and the detailed investigation provided, the city is not liable. City Attorney Graham's recommendation is to deny the claim. Councilmember Head 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, Barfield, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

City Attorney Jimmy Graham presented a claim filed by Ms. Ruth K. Ford. City Attorney Graham stated that the Phenix City Police Department received a call stating that there was a child in distress at the residence that Ms. Ruth K. Ford was renting out and upon arriving at the residence, the officers had to use force entry to enter the home and damaged some doors. City Attorney Graham further stated that the landlord had proceeded with the process of getting the child out and once the officers made their way into the home they discovered there was no children present. The landlord Ruth K. Ford submitted three estimates as required by the city with the lowest estimate being in the amount of \$930.71 plus \$35.00 for the estimate she had to get. City Attorney's Graham's recommendation is to approve the claim in the amount of the lowest estimate of \$930.71 plus the \$35.00 estimate. Councilmember Barfield moved to take the city attorney's recommendation to pay the lowest estimate of \$930.71 plus the \$35.00 estimate, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Day, Head, Barfield, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

Councilmember Day asked the City Clerk Charlotte Goodrich to read to the citizens of Phenix City the award the City Manager Wallace received from IMCA for his 30 years of service to local governments for his significant contributions and achievements.

Councilmember Day wanted to remind the citizens of the Tuskegee Morehouse parade this upcoming weekend.

Roger Conner commented on the water main break over the weekend and one of his employees who fall ill on the jobsite.

City Manager Wallace Hunter spoke on the process to repair the water main breaks and asked citizens to be patient and show compassion for the people that are out there doing work day and night.

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 18, 2016 at 9:00 a.m.