

**MEETING MINUTES
NOVEMBER 1, 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, November 1, 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 Jim Cannon, Councilmember Gail N. Head, 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. Goodrich.

Reverend Rudy Jefferson, Pastor of Phillips Temple CME Church came forward to lead the invocation.

Mayor Lowe led the Pledge of Allegiance to the Flag of the United States.

City Manager Wallace Hunter and Human Resources Director Stephanie Chastain presented Certificates of Appreciation to the following employees for Years of Dedicated Service: Shaun Culligan, Terri Childs, Jill Linder, Larry Seldon, and Thomas Pell.

Mayor Lowe presented a proclamation recognizing World Pancreatic Cancer Day.

PROCLAMATION

Abby Edwards came forward to accept the Proclamation.

Mayor Lowe presented for approval the minutes of the October 17, 2016 work session and the October 18, 2016 council meeting. Councilmember Day moved to approve the minutes, 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 stated there was no unfinished business to address at this time.

Mayor Lowe presented Resolution No. 2016-333 to be ratified in reference to approving the final settlement in the matter of Progressive Direct Insurance Company, a/s/o Sandra

Dunaway (Brian Dunaway) versus Joshua Geiger and the City of Phenix City d/b/a Phenix City Police Department.

RESOLUTION NO. 2016-333

Councilmember Barfield moved to ratify 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 Resolution No. 2016-334 to be ratified in reference to the emergency purchase of one Cummins ISL 425 horsepower, six cylinder diesel electronic motor for Fire/Rescue Services Engine Four from Freightliner in an amount not to exceed \$31,603.50.

RESOLUTION NO. 2016-334

Councilmember Cannon 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 approving the final settlement in the matter of Joyce Ingram versus the City of Phenix City, et al.

RESOLUTION NO. 2016-335

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 removing the special assessment from property located at 800, 802, 900, 902 6th Place South and 605 10th Avenue South purchased from the State of Alabama, Parcel #57-05-07-26-3-003-001.000 #0.

RESOLUTION NO. 2016-336

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 accepting a proposal from Bank of New York Mellon for Arbitrage Rebate Calculation Services to comply with IRS regulations.

RESOLUTION NO. 2016-337

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 accepting a proposal from S&ME, Inc. to develop a Storm Water Management Plan which will be submitted to ADEM as required to be in compliance.

RESOLUTION NO. 2016-338

Councilmember Barfield 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 authorizing the Mayor and City Manager to enter into a contract with Key Construction Company, Inc. for the construction of restrooms at the Phenix City Riverwalk in an amount not to exceed \$32,000.00.

RESOLUTION NO. 2016-339

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 the Mayor and City Manager to enter into a contract with Alabama Power for electrical service to the restrooms at the Phenix City Riverwalk in an amount not to exceed \$7,804.67.

RESOLUTION NO. 2016-340

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 the Mayor and City Manager to enter into a contract with WMS Underground for the boring electrical service to the restrooms at the Phenix City Riverwalk in an amount not to exceed \$7,750.00.

RESOLUTION NO. 2016-341

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 a one-time compensation for full time employees.

RESOLUTION NO. 2016-342

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 a one-time compensation for retirees.

RESOLUTION NO. 2016-343

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 continuing the moratorium on annexations into the City of Phenix City.

RESOLUTION NO. 2016-344

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 a contract with the Phenix City-Russell County Chamber of Commerce in an amount not to exceed \$37,400.00.

RESOLUTION NO. 2016-345

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 accepting the dedication of land, right-of-ways and easements dedicated by the "Lot Reconfiguration of Lots 6 through 12, Block "F" of the Eula Ingersoll Subdivision, Lying in the Southeast Quarter of Section 3, Township 17 North, Range 30 East, Phenix City, Russell County, Alabama", Estate of Sally Kennedy (Ellis Kennedy, Executor), Steven Stokes, and Kathy Coulter, owners.

RESOLUTION NO. 2016-346

Councilmember Barfield 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 Columbus Quarry, LLC for Aggregates.

RESOLUTION NO. 2016-347

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 declaring three couches and three loveseats as surplus to be disposed of at the landfill.

RESOLUTION NO. 2016-348

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 authorizing and directing the Mayor and City Manager to enter into an agreement with EarthLink Business for one 10 Megabit Fiber Internet connection at a monthly cost of \$688.47.

RESOLUTION NO. 2016-349

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 a contract with Pyrotecnico for fireworks for the Night of Lights

celebration at the Phenix City Amphitheater on December 1, 2016 in an amount not to exceed \$6,860.00.

RESOLUTION NO. 2016-350

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

Mayor Lowe asked to amend the motion appointing Debbie Andrews to the Zoning Adjustment and Appeals Board that was made at the October 18, 2016 council meeting. He advised the motion should have stated Ms. Andrews was being appointed as the 2nd Alternate on the Zoning Adjustment and Appeals Board. Mayor Lowe asked for a motion to that effect. Councilmember Day moved to appoint Ms. Andrews as the 2nd Alternate on the Zoning Adjustment and Appeals Board, 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.

City Attorney Jimmy Graham presented a claim filed by The Cochran Firm on behalf of Tyrone Waldon. City Attorney Graham stated that Mr. Waldon filed a claim for workers compensation and wrongful termination. City Attorney Graham further stated that Mr. Waldon did not qualify for worker's compensation or wrongful termination due to being terminated for being intoxicated while on the job. City Attorney Graham's recommendation is to deny the claim based on the City's Merit System rules and regulations. Councilmember Cannon moved to take the city attorney's recommendation to deny the claim, 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.

Councilmember Day stated that it was a pleasure serving with Councilmember Head, Councilmember Cannon, and Councilmember Barfield.

Councilmember Head stated that she wanted to let the citizens know that she appreciated the opportunity to serve on the Council and she always strived to work hard and serve with dignity.

Councilmember Barfield stated that it was a pleasure to work with council.

Councilmember Cannon spoke on his friendship with Councilmember Day. Councilmember Cannon also spoke on how good of a job City Manager Wallace Hunter and Mayor Lowe have done. Councilmember Cannon further stated that the city has the best Department Heads he has seen in a long time.

Mayor Lowe spoke on how great of an opportunity it has been to serve with Councilmember Cannon, Councilmember Head, and Councilmember Barfield.

Councilmember Day wanted to let the citizens know that they have a great Mayor and how he admires that Mayor Lowe is someone that is always in prayer and how important it is to put God first.

Mayor Lowe thanked the Department Heads for their hard work and dedication.

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 November 15, 2016 at 9:00 a.m.