

**MEETING MINUTES
JANUARY 4, 2017**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled meeting at 9:00 a.m., Wednesday, January 4, 2017 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 Johnnie Robinson, Councilmember Steve Bailey, Councilmember Griff Gordy, 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 Keith Badowski of Epworth United Methodist Church led the invocation.

Councilmember Day 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: Wesley Hurst, Carol Castellini, Deborah Spear, Brandon Hampton, Jeff Freeman, and Mike Toomey.

Mayor Lowe presented for approval the minutes of the December 19, 2016 work session and the minutes of the December 20, 2016 council meeting. Councilmember Day moved to approve the minutes, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Robinson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

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

Mayor Lowe presented a resolution in reference to accepting the dedication of land, right-of-ways and easements dedicated by "Plat of Property Division among Family Members for Maggie L. Slappey, A.K.A. Rebecca L. Slappey, Sherri Slappey Willis & John Andrew Willis located in Section 28, Township 18 North, Range 30 East, Lee County, Alabama.

RESOLUTION NO. 2017-01

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

Mayor Lowe presented a resolution in reference to awarding a bid to Robinson Paving for Hot Mix Asphalt Paving and Roadway Improvements.

RESOLUTION NO. 2017-02

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

Mayor Lowe presented a resolution in reference to accepting a proposal from Fontenot Benefits & Actuarial Consulting to perform Actuarial work in an amount not to exceed \$6,000.00.

RESOLUTION NO. 2017-03

Councilmember Gordy 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, Robinson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to rescinding Resolution No. 2016-366 approving Centerline Contracting, Inc. to bore under Lee Road 236 (Auburn Road) to install casing for sanitary sewer lines in an amount not to exceed \$14,880.00.

RESOLUTION NO. 2017-04

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

Mayor Lowe presented a resolution in reference to approving a payment of \$5,702.00 to Centerline Contracting, Inc. for work performed and to purchase materials needed for a city crew to install casing under Auburn Road (Lee Road 236).

RESOLUTION NO. 2017-05

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

Mayor Lowe presented a Public Notice and a Resolution in reference to adopting an illicit Discharge Detection and Elimination Program for the City's storm sewer system.

PUBLIC NOTICE

RESOLUTION

Councilmember Gordy moved to approve the Public Notice and place the Resolution on the February 7, 2017 Council Agenda, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Robinson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a Public Notice and a Resolution in reference to updating the City of Phenix City's Storm Water Management Program Plan.

PUBLIC NOTICE

RESOLUTION

Councilmember Gordy moved to approve the Public Notice and place the Resolution on the February 7, 2017 Council Agenda, which motion was seconded by Councilmember Robinson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Robinson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe next declared that now was the time and place for a public hearing regarding the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon the properties at the following locations in Phenix City, Alabama; anyone wishing to address council regarding these matters should come forward now:

- 1) 2000 4th Avenue
- 2) 910 8th Avenue
- 3) 706 Dillingham Street
- 4) 2400 31st Street
- 5) 918 North Railroad Street

An attorney for the State of Alabama came forward to discuss 910 8th Avenue and 706 Dillingham Street. She referenced State Act 2015-435 in reference to State Finance taking over the management of State owned properties. She asked for clarification of the notice procedure. Chief Building Official Gil Griffith spoke briefly on the procedure followed for notifying property owners of pending demolition liens. She was given contact information for the Building Department and the City Clerk's Office.

Ms. Janis Hammock Flowers came forward to discuss 2400 31st Street. She asked how much time she would have to pay the lien. Chief Building Official Gil Griffith explained that the lien will be on her October Tax Bill sent out by the County, and they are the ones she will pay. Ms. Flowers also inquired about whose responsibility the creek falls under. City Engineer Angel Moore advised her office will check and be in touch with Ms. Flowers.

Neither hearing nor seeing anyone else come forward on the matters, Mayor Lowe declared the public hearings closed.

Mayor Lowe next presented five (5) resolutions regarding the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon properties located at:

1. 2000 4th Avenue

RESOLUTION NO. 2017-06

2. 910 8th Avenue

RESOLUTION NO. 2017-07

3. 706 Dillingham Street

RESOLUTION NO. 2017-08

4. 2400 31st Street

RESOLUTION NO. 2017-09

5. 918 North Railroad Street

RESOLUTION NO. 2017-10

Councilmember Day moved to approve the resolutions, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Robinson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to purchasing a John Deere MY16 1200A Bunker and Field Rake Infield Groomer from Beard Equipment Company in an amount not to exceed \$13,580.00.

RESOLUTION NO. 2017-11

Councilmember Gordy 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, Robinson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for first reading a Letter of request from Planning Commission, Public Notice and Ordinance to rezone a 12.43 acre tract of land located at 67 Downing Drive, from an M-2 Zone to an C-2 Zone, The City of Phenix City, owner.

**LETTER
PUBLIC NOTICE
ORDINANCE**

Councilmember Robinson moved to accept the letter, approve the public notice, and place the ordinance on first reading, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Robinson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented for first reading a Public Notice and Ordinance amending the Code of Ordinances of the City of Phenix City, Alabama, adding Chapter 10 ½ Stormwater Management, to regulate discharges and connections to storm sewer system within the corporate limits of the City of Phenix City.

**PUBLIC NOTICE
ORDINANCE**

Councilmember Day moved to Dispense with the Reading of the Ordinance, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Robinson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed. Councilmember Day moved to approve the public notice and place the ordinance on first reading, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Robinson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented one previously tabled opening on the Tree Commission. Mayor Lowe asked for the opening to be tabled because the person they were going to appoint does not live in the City limits of Phenix City. Councilmember Day moved to table the opening, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the

following vote was recorded: YEAS: Councilmembers Day, Robinson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

City Attorney Jimmy Graham presented a claim USAA General Indemnity Company a/s/o Paula Outlaw. City Attorney Graham stated the claimant was involved in a vehicle accident with a city employee. Upon investigation, the city employee was determined to be at fault. City Attorney Graham's recommendation is to pay the claim; however, the amount listed on the claim form on the right side under estimates totals \$5,260.82; the amount of \$5,695.94 is listed on the left side of the claim form under the explanation portion. City Attorney Graham stated he recommends approving the claim in an amount not to exceed \$5,695.94; he will be in contact with USAA for an explanation of the \$435.12 difference. Councilmember Day moved to take the city attorney's recommendation to approve the claim in an amount not to exceed \$5,695.94, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Robinson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

City Manager Wallace Hunter spoke on the recent storm damage and street closures due to the storm. He advised it takes time to fix and clean up the areas.

City Engineer Angel Moore spoke on the 16th Avenue closure that has barricades. She asked that the public not move the barricades because they are there for a reason. She advised the street could give away if pressure is put on it.

Mayor Lowe thanked department heads and city workers for all their hard work after the storm; and he wished everyone a Happy New Year.

Mayor Lowe thanked CTV 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 December 20, 2016 at 9:00 a.m.