

**MEETING MINUTES
MAY 16, 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., Tuesday, May 16, 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, Jr., Councilmember Johnnie C. Robinson, Jr., 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 Goodrich.

Upon a quorum being present, Mayor Lowe called the meeting to order.

Reverend Steve Reneau, Pastor of Trinity United Methodist Church led the invocation.

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

Mayor Lowe presented a proclamation recognizing Arbor Day.

PROCLAMATION

Melanie Oswald, Jeff McDonald, Jennifer Davidson, and Betty LeBlanc came forward to accept the proclamation and to present the "Tree City USA" Flag to Mayor and Council.

Mayor Lowe presented for approval the minutes of the May 1, 2017 work session and the minutes of the May 2, 2017 council meeting. Councilmember Day moved to approve the minutes, 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 for approval the minutes of the May 4, 2017 Phenix City Board of Realtors meeting. Councilmember Gordy moved to approve the minutes, 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 stated there was no unfinished business to address at this time.

Mayor Lowe presented a resolution in reference to awarding insurance contracts for Property, Inland Marine and Auto Coverage to the Flowers Insurance Agency.

RESOLUTION NO. 2017- 106

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 four (4) resolutions in reference to awarding bids for demolition and removal of structures located at:

- 1.) 2107 2nd Avenue – Stewart Contracting - \$2,200.00.

RESOLUTION NO. 2017-107

- 2.) 1007 17th Avenue – Stewart Contracting - \$1,400.00.

RESOLUTION NO. 2017-108

- 3.) 605 7th Place – Stewart Contracting - \$1,139.00.

RESOLUTION NO. 2017-109

- 4.) 1249 Pierce Road – Stewart Contracting - \$1,500.00.

RESOLUTION NO. 2017-110

Councilmember Day moved to approve the resolutions, 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 two (2) resolutions and public notices in reference to setting the public hearing dates for the fixing of costs incurred by the City for the demolition and or removal of substandard buildings or structures located at:

1) 1908 4th Avenue

RESOLUTION NO. 2017-111

PUBLIC NOTICE

2) 1001 16th Street

RESOLUTION NO. 2017-112

PUBLIC NOTICE

Councilmember Day moved to approve the resolutions and public notices, 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 declaring personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to Robert Lambert in recognition of his 18 years of public service.

RESOLUTION NO. 2017- 113

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 declaring one (1) 2004 Ford Crown Victoria vehicle as surplus to be transferred to the Phenix City Technology Department.

RESOLUTION NO. 2017- 114

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 eight (8) resolutions in reference to awarding bids for chemicals to the following companies:

1.) **RESOLUTION NO. 2017-115**

Aluminum Sulfate (Dry) – C&S Chemical - \$0.0825/lb

2.) **RESOLUTION NO. 2017-116**

Granular Soda Ash – BHS Specialty - \$0.183325/lb

3.) **RESOLUTION NO. 2017-117**

Hydrofluosilicic Acid – Harcross Chemical, Inc. - \$0.7565/lb

4.) **RESOLUTION NO. 2017-118**

Potassium Permanganate – Shannon Chemical - \$1.87/lb

5.) **RESOLUTION NO. 2017-119**

Liquid Chlorine (CL₂) – Allied Universal - \$477.25/ton

6.) **RESOLUTION NO. 2017-120**

Dry Polymer – Industrial Chemicals - \$1.65/lb

7.) **RESOLUTION NO. 2017-121**

Liquid Polymer – Thornton, Musso & Bellemin - \$2.00/lb

8.) **RESOLUTION NO. 2017-122**

Sulfur Dioxide (SO₂) – Allied Universal - \$692.25/ton

Councilmember Day moved to approve the resolutions, 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 carried.

Mayor Lowe next declared that now was the time and place for a public hearing regarding an ordinance in reference to eliminating the at-grade crossing on 10th Avenue between South Railroad Street and North Railroad Street. Anyone wishing to address council regarding this matter should come forward now. Neither hearing nor seeing anyone come forward to address council, Mayor Lowe declared the public hearing closed.

Mayor Lowe presented for second reading an ordinance in reference to eliminating the at-grade crossing on 10th Avenue between South Railroad Street and North Railroad Street.

ORDINANCE NO. 2017- 13

Councilmember Day moved to approve the ordinance, 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 for second reading an ordinance to exempt certain items from the Municipal sales and use tax during the first full weekend of July, 2017, referred to as the “Back-to-School” Sales Tax Holiday.

ORDINANCE NO. 2017- 14

Councilmember Day moved to approve 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. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for first reading an ordinance granting a Non-Exclusive Franchise to Wide Open West, Inc., for the purpose of constructing and maintaining a fiber-optic transmission line within certain public rights-of-way within the City of Phenix City.

ORDINANCE NO. 2017- 15

Mayor Lowe asked for a motion to Suspend the Rules. Councilmember Day moved to Suspend the Rules, 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 carried. Mayor Lowe asked for a motion to Dispense with the Reading. Councilmember Gordy moved to Dispense with the Reading, 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 carried. Mayor Lowe asked for a motion for approval. Councilmember Day moved to approve 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. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented for second reading an application for an Off Premise Beer License and an Off Premise Wine License submitted by John J. Moller for Dansk Retail, Inc. d/b/a Sunoco #161 located at 1127 280 Bypass, Phenix City, Alabama. Councilmember Day moved to approve the applications, which motion was seconded by Councilmember Robinson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Robinson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented for second reading an application for an Off Premise Beer License and an Off Premise Wine License submitted by Von Express, Inc. d/b/a Von Express located at 310 N. Seale Road, Phenix City, Alabama. Councilmember Gordy moved to approve the applications, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Robinson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Attorney Jimmy Graham presented a claim filed by Carl G. Hemilburger. City Attorney Graham stated that Mr. Hemilburger alleges that the City of Phenix City is responsible

for the damaged drivers' side windshield of his 2014 Nissan Sentra. City Attorney Graham further stated that the claimant alleges that the damage was caused by a rock that flew from the weed eater while city workers were working on Phenix Drive near the Home Depot. City Attorney Graham stated that the Engineering/Public Works Department did have a crew working in this area on Tuesday, April 25, 2017. City Attorney Graham recommended paying the lowest estimate in the amount of \$380.19. Councilmember Day moved to take the city attorney's recommendation to pay the lowest estimate of \$380.19, 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 carried.

Councilmember Day reminded everyone of the Let's Talk Sessions that are held in District Three every third Saturday of each month through August.

Councilmember Robinson welcomed everyone to the American Legion Post 135 on June 14, 2017 for the Flag Day event.

Mayor Lowe thanked the Department Heads and CTV – Beam Television for their filming of the meeting.

There being no further business to come before council, the meeting adjourned until June 6, 2017 at 9:00 a.m.