

**MEETING MINUTES
JUNE 6, 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, June 6, 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 Steve Bailey, Councilmember Griff Gordy and Mayor Eddie N. Lowe. Councilmember Arthur L. Day, Jr. and Councilmember Johnnie C. Robinson, Jr. were not present. City Clerk Charlotte L. Goodrich was not present. Also present were City Manager Wallace B. Hunter and City Attorney James P. Graham.

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

Reverend Gregory Scott, Pastor of Phillips Temple CME Church led the invocation.

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

Mayor Lowe advised City Clerk Charlotte Goodrich is not present for the meeting; therefore, he asked for a motion to appoint Melony Lee as Acting City Clerk. Councilmember Gordy moved to appoint Melony Lee as Acting City Clerk, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded; YEAS: Councilmembers Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

City Manager Wallace Hunter and Human Resources Director Stephanie Chastain presented Certificates of Appreciation to the following employees for Years of Dedicated Service: Tyrone Stanford, Michele Kilday, Matthias Smith, and Patrick Vinzant.

Mayor Lowe presented for approval the minutes of the May 15, 2017 Downtown Redevelopment Authority meeting. Mayor Lowe asked that these minutes be tabled. Councilmember Gordy moved to table the minutes, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for approval the minutes of the May 15, 2017 work session meeting. Mayor Lowe asked that these minutes be tabled. Councilmember Gordy moved to table the minutes, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for approval the minutes of the May 16, 2017 Council 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 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 Edward Byrne Justice Assistance Grant (JAG) in the amount of \$21,230.00.

RESOLUTION NO. 2017- 123

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

Mayor Lowe presented a resolution in reference to granting an encroachment on City Right of Way to RCA, LLC to place a traffic island with planting strip per the Riverchase Pump Station & Access Road Plans.

RESOLUTION NO. 2017- 124

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

Mayor Lowe presented a resolution in reference to authorizing Alabama Power Company to remove eight (8) street lights on Whitewater Avenue. (formerly 3rd Avenue).

RESOLUTION NO. 2017- 125

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

Mayor Lowe presented a resolution in reference to entering into a contract with EastCoast Entertainment, Inc. for Masters of Soul to perform at the Amphitheater July 22, 2017 in an amount not to exceed \$10,200.00.

RESOLUTION NO. 2017- 126

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

Mayor Lowe presented a resolution in reference to entering into a contract with Emily Peterson for “Web Specialist” services for a monthly fee not to exceed \$2,822.11.

RESOLUTION NO. 2017- 127

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

Mayor Lowe presented a resolution to rescind Resolution No. 2017-111 and Public Notice in reference to setting a public hearing date and fixing demolition costs associated with property located at 1908 4th Avenue.

RESOLUTION NO. 2017- 128

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

Mayor Lowe presented a resolution to rescind Resolution No. 2017-112 and Public Notice in reference to setting a public hearing date and fixing demolition costs associated with property located at 1001 16th Street.

RESOLUTION NO. 2017- 129

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

Mayor Lowe presented seven (7) Resolutions and Public Notices in reference to setting public hearing dates and fixing demolitions costs associated with the following properties:

- 1.) 1908 4th Avenue

RESOLUTION NO. 2017-130

PUBLIC NOTICE

- 2.) 1001 16th Street

RESOLUTION NO. 2017-131

PUBLIC NOTICE

- 3.) 1029 4th Street South

RESOLUTION NO. 2017-132

PUBLIC NOTICE

- 4.) 1031 4th Street South

RESOLUTION NO. 2017-133

PUBLIC NOTICE

5.) 1033 4th Street South

RESOLUTION NO. 2017-134

PUBLIC NOTICE

6.) 1035 4th Street South

RESOLUTION NO. 2017-135

PUBLIC NOTICE

7.) 1037 4th Street South

RESOLUTION NO. 2017-136

PUBLIC NOTICE

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

Mayor Lowe presented a resolution in reference to declaring certain property surplus to be sold as scrap.

RESOLUTION NO. 2017- 137

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

Mayor Lowe presented a resolution in reference to purchasing eight (8) Stealth Carbon Fiber Spare Cylinders from Sunbelt Fire in an amount not to exceed \$9,200.00.

RESOLUTION NO. 2017- 138

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

Mayor Lowe presented a resolution in reference to declaring various items as surplus to be sold at the auction or as scrap.

RESOLUTION NO. 2017- 139

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

Mayor Lowe presented a letter and public notice in reference to a request to rezone a 3.10 acre tract of land located at 600 Fontaine Road, from an R-1 Zone to a R-1B Zone, City of Phenix City, owner.

LETTER

PUBLIC NOTICE

Mayor Lowe presented for first reading an ordinance to rezone a 3.10 acre tract of land located at 600 Fontaine Road, from an R-1 Zone to a R-1B Zone, City of Phenix City, owner. Councilmember Gordy 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 Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

City Attorney Jimmy Graham presented a claim filed by Lillian M. Hanson. City Attorney Graham advised the claim alleges that the City is responsible for damages to the right rear tire of her 2006 Red Toyota Camry resulting from an incident that occurred at the intersection of Broad Street and Dillingham Street on May 13, 2017. Ms. Hanson claims that she was making

a right turn from Broad Street onto Dillingham Street when her right tire struck the storm sewer curb inlet. City Attorney Graham stated that the Engineering/Public Works Department did investigate the area and determined a storm sewer curb inlet is located at this intersection; however, the inlet is located in the gutter line and not in the travel lane. City Attorney Graham recommended denying the claim. Councilmember Gordy moved to follow the recommendation of the City Attorney to deny the claim, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

City Attorney Jimmy Graham presented a claim filed by Tommy Earl Greer. City Attorney Graham advised the claim alleges that the City is responsible for damages resulting from an incident that occurred at 1615 12th Street due to flooding. City Attorney Graham stated that rainfall records show that over 8 inches of rain fell from December 31, 2016 through January 2, 2017. City Attorney Graham further stated that on January 2, 2017, approximately 4 inches of rain fell in a two hour period, however, this portion of the total rainfall is considered to be a 100 year storm event. City Attorney Graham stated that this type of storm event is unfortunate and can be considered an act of God; therefore, the City is not held liable for the damages. City Attorney Graham recommended denying the claim. Councilmember Gordy moved to follow the recommendation of the City Attorney to deny the claim, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion 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 on July 4, 2017 at the Amphitheater in an amount not to exceed \$10,130.00.

RESOLUTION NO. 2017- 140

Councilmember Gordy 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 Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None.

The motion thus passed.

Councilmember Gordy wanted to let the citizens know about "*More Than A Game*" baseball event that will be starting up on June 12, 2017.

Councilmember Bailey discussed the following Acts that the Alabama Legislature passed: City Charter, Entertainment District, and School Board Election.

Mayor Lowe spoke on the Fourth Annual Mayor's Council Ball.

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 20, 2017 at 6:00 p.m.