

**MEETING MINUTES
JUNE 20, 2017**

The members of the City Council of the City of Phenix City, Alabama met for a regularly scheduled meeting at 6:00 p.m. Eastern Time, Tuesday, June 20, 2017 in the auditorium of the Central Activities Center located at 1500 14th Street, Phenix City Alabama. Upon roll call, the following members were present: Councilmember Steve Bailey, Councilmember Arthur L. Day, and Mayor Eddie N. Lowe. Councilmember Gordy and Councilmember Robinson were not present. Also present were City Manager Wallace B. Hunter, City Attorney James P. Graham, and City Clerk Charlotte L. Goodrich. Department Heads in attendance were as follows: Chief of Police, Raymond J. Smith, Utilities Director Stephen C. Smith, Parks and Recreation Director Todd Hughes, Interim Finance Director Labrita King-Copeland, Human Resources Director Stephanie Chastain, Chief Building Official Gil Griffith, Economic Development Manager Shaun Culligan, IT Manager, Mike Bauer, Engineering and Public Works Assistant Director Michael Pattillo, Assistant Library Director Reanna Ramsey and Assistant Chief Fire and Rescue Services William Czukur. Members of the media were present in the audience.

There being a quorum present, Mayor Lowe called the meeting to order at 6:00 p.m.

Reverend Jean Keel Pastor of White Chapel CME Church came forward to lead the invocation.

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

Mayor Lowe presented the minutes of the May 15, 2017 meeting with the Downtown Redevelopment Authority for approval. Councilmember Day motioned 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, Day and Mayor Lowe. NAYS: None. ABSTAINS: NONE. Said motion having thus passed.

Mayor Lowe presented the minutes of the May 15, 2017 Work Session for approval. Councilmember Day motioned to table said minutes, which motion was having been seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Bailey, Councilmember Day and Mayor Lowe. NAYS: NONE. ABSTAINS: NONE. Said motion having thus passed.

Mayor Lowe presented the minutes of the June 5, 2017 meeting for approval. Councilmember Day motioned to table said minutes, and said motion having been seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAINS: None. Said motion having thus passed.

Mayor Lowe presented the minutes of the June 6, 2017 Council meeting for approval. Councilmember Day moved to table said minutes; said motion being seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAINS: None. Said motion having thus passed.

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

Mayor Lowe presented Resolution No. 2017-141 to be ratified in reference to authorizing Fuel Systems, LLC to perform emergency work on a portion of the city's fuel system.

RESOLUTION NO. 2017-141

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution authorizing and directing the Mayor and City Manager to sign Change Order Number 2 with Associated Mechanical Contractors in the amount of \$5,512.55 for the biogas improvements project at the Waste Water Treatment Plant, Delta Grant No. AL-11930.

RESOLUTION NO. 2017-142

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution authorizing and directing the Mayor, City Manager and Chief of Police, Raymond J. Smith to sign an agreement for the Radio Frequency Agreement with EZ-Spectrum in an amount not to exceed \$8,437.00.

RESOLUTION NO. 2017-143

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution in reference to authorizing Alabama Power Company to install one street light at 228 14th Avenue and one street light at 307 14th Avenue.

RESOLUTION NO. 2017-144

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was

recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution in reference to authorizing the payment of \$18,391.58 to the Russell County Commission for resurfacing a portion of Crosswinds Road.

RESOLUTION NO. 2017-145

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution in reference to granting employees an additional day for the observance of the 2017 Independence Day Holiday.

RESOLUTION NO. 2017-146

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented four resolutions in reference to rejecting bids received for the demolition of structures at the following locations in Phenix City:

- 1) 908 4th Place

RESOLUTION NO. 2017-147

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was

recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN.
None. Said motion having thus passed.

2) 1110 15th Place

RESOLUTION NO. 2017-148

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

3) 1017 4th Street

RESOLUTION NO. 2017-149

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

4) 1105 South Railroad Street

RESOLUTION NO. 2017-150

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution in reference to purchasing one (1) Mi-T-M Electric Pressure Washer from Valley Hotsy in an amount not to exceed \$6,908.00.

RESOLUTION NO. 2017-151

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having 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 Battalion Chief Mickeal Harrison in recognition of his 30 years and 5months of dedicated service to the City of Phenix City Fire Rescue Services and the Citizens of Phenix City.

RESOLUTION NO. 2017-152

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution declaring various items as surplus to be transferred to Equipment Service Company for disposal.

RESOLUTION NO. 2017-153

Councilmember Bailey motioned to approve said resolution, which motion having been seconded by Councilmember Day. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into a twenty four (24) month agreement with EZlinks Golf, LLC at a monthly cost of \$359.00 and a onetime cost of \$7,300 for Golf Course Management Software upgrade services.

RESOLUTION NO. 2017-154

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution in reference to purchasing one (1) 2017 Chevrolet Express 15 passenger van per Alabama State Contract Number T-191, from Donohoo Chevrolet in an amount not to exceed \$27,946.65.

RESOLUTION NO. 2017-155

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution in reference to purchasing one (1) 2018 Ford F-150 4x2 Regular Cab Truck from Long-Lewis Ford Lincoln in an amount not to exceed \$19,856.00.

RESOLUTION NO. 2017-156

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was

recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented a resolution in reference to accepting a proposal from Robinson Paving Company for the demolition of the swimming pool at Spencer Recreational Center in an amount not to exceed \$19,700.00.

RESOLUTION NO. 2017-157

Councilmember Day motioned to approve the resolution, which motion having been seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

Mayor Lowe presented one opening on the Personnel Review Board for the unexpired term of Nancy Bunton. Councilmember Day nominated Dr. William Brooks for the position. Mayor Lowe called for a motion to approve the nomination of Dr. William Brooks to the Personnel Review Board. Councilmember Day moved to approve said nomination, which motion was seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

City Attorney Graham presented a claim filed by Mack and Debbie Harris. Attorney Graham stated the date of the incident as listed on the claim and police report was October 14, 2016. The claim alleges the Phenix City Police Department was pursuing a vehicle, when the driver of the vehicle lost control of it and caused damage to the Harris' vehicle and property. Attorney Graham stated on the date of the incident, the Phenix City Police Department was attempting to apprehend Mr. Kelvin Carnes on outstanding warrant charges when Mr. Carnes attempted to elude the police by fleeing in a vehicle owned by Ms. Schkeima Anderson whom

he was involved with. Mr. Carnes lost control of the vehicle causing the damage to the Harris' vehicle and home. Mr. Carnes was arrested and is currently detained in the Russell County Jail. City Attorney Graham advised per Alabama Code, the City is not liable because the City did not put the vehicle in motion. Attorney Graham stated he recommended denial of the claim based on state statute. The appropriate course of action for the Harris' to recover their losses would be to file for damages against Mr. Carnes or the vehicle owner, Ms. Anderson. Councilmember Bailey also added the claim was not presented within the six month time frame required by state statute. Councilmember Day motioned to follow the recommendation of the City Attorney to deny the claim, which motion was seconded by Councilmember Bailey. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Bailey, Day and Mayor Lowe. NAYS: None. ABSTAIN. None. Said motion having thus passed.

City Manager Hunter thanked the Department Heads and Staff for their work.

Mayor Lowe also thanked the Department Heads for the work. Mayor Lowe commented on Phenix City being a good place to live and that he is proud to live in a democratic society.

Councilmember Day commented on the turn out for the More than a Game outreach program for the youth in Phenix City. He stated it was an impressive program and commented on the improvements made to Meadowlane Park. Councilmember Day also commented on his Let's Talk program and the number of citizens that attended.

Councilmember Bailey also commented on being thankful to all department heads for the jobs there are doing. He commented on he felt all councilmember were doing the best they could and were constantly learning and thanked everyone for their continued support.

Mayor Lowe again commented on living in a democratic society and we should continue to lift everyone up.

There being nothing further to discuss, the meeting was thus adjourned until 3:00 p.m.,
July 3, 2017.