

**MEETING MINUTES
AUGUST 15, 2017**

The members of the City Council of the City of Phenix City, Alabama met for a regularly scheduled meeting at 9:00 a.m. Eastern Time, Tuesday, August 15, 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 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.

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

Reverend Marty Holley with Russell Baptist Association came forward to lead the invocation.

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

City Manager Wallace B. Hunter and Human Resources Director Stephanie Chastain presented Certificates of Appreciation to the following employees for Years of Dedicated Service: Terrance Walker, Willie Deloney, Bradley Harrison, and Ray Rogers.

Mayor Lowe presented a proclamation recognizing National Health Center Week.

PROCLAMATION

Geralda Magoiga, Certified Registered Nurse Practitioner of Quality of Life Health Services came forward to accept the proclamation.

Mayor Lowe presented the minutes of the July 12, 2017 called budget work session for approval. Councilmember Day moved to approve said minutes, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented the minutes of the July 31, 2017 regularly scheduled work session and the minutes of the August 1, 2017 regularly scheduled council meeting for approval. Councilmember Gordy moved to approve said minutes, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe stated there was no unfinished business to address.

Mayor Lowe presented Resolution No. 2017-192 to be ratified in reference to rescinding Resolution No. 2017-191 and authorizing the Mayor and City Manager to enter into a contract for the US Highway 80 Sanitary Sewer Forced Main Project with D&G Boring in the amount of \$82,600 base price plus \$850.00 per foot for rock.

RESOLUTION NO. 2017-192

Councilmember Day moved to ratify the resolution, which motion was seconded by Councilmember Gordy. Upon said motion having been put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented a resolution in reference to a Community Development Block Grant Application to the Alabama Department of Economic and Community Affairs for the purpose of replacing 2" water lines, install 6" water lines, increase fire protection and resurface streets on 3rd Avenue, 1st Avenue and 29th Street from 3rd Avenue to 1st Avenue.

RESOLUTION NO. 2017-193

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

Mayor Lowe presented a resolution in reference to making application to the Alabama Department of Economic and Community Affairs for an Energy Efficient Retrofit of Wastewater Treatment Facilities Grant for the purpose or replacing current lighting with LED lighting.

RESOLUTION NO. 2017-194

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

Mayor Lowe presented a resolution in reference to making application to the Alabama Department of Economic and Community Affairs for an Energy Efficient Retrofit of Local Governments and Non Profit Organizations Grant for the purpose of replacing current lighting at Idle Hour Tennis Center with LED Lighting.

RESOLUTION NO. 2017-195

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

Mayor Lowe presented a resolution in reference to approving the Budget for the 2017-2018 Fiscal Year.

RESOLUTION NO. 2017-196

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

recorded: YEAS: Councilmembers Day, Bailey, Gordy and Mayor Lowe. NAYS: None.
ABSTAINS: None. The motion carried.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into an agreement with Albany State University for the Fourth Annual Whitewater Classic Football Game at Garrett-Harrison Stadium against Tuskegee University on September 9, 2017.

RESOLUTION NO. 2017-197

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented three (3) 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) 1007 17th Avenue

RESOLUTION NO. 2017-198

PUBLIC NOTICE

- 2) 605 7th Place

RESOLUTION NO. 2017-199

PUBLIC NOTICE

- 3) 301 21st Street

RESOLUTION NO. 2017-200

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented a resolution in reference to declaring property as surplus to be sold as scrap or disposed of at the City Landfill.

RESOLUTION NO. 2017-201

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 Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented a resolution in reference to declaring property as surplus to be sold as scrap or disposed of at the City Landfill.

RESOLUTION NO. 2017-202

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented a resolution in reference to approving the purchase of (2) two Grasshopper Lawnmowers from Price's Small Engines in an amount not to exceed \$13,120.00. (Budgeted Item)

RESOLUTION NO. 2017-203

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 Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented a resolution in reference to declaring property as surplus to be sold as scrap or disposed of at the City Landfill.

RESOLUTION NO. 2017-204

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented a resolution in reference to awarding a bid to Atlas Manufacturing Company, Inc. for repairing two (2) traveling water screens at the Water Filtration Plant in an amount not to exceed \$71,920.00.

RESOLUTION NO. 2017-205

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 Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented a resolution in reference to purchasing Allen-Bradley CompactLogix equipment and software to upgrade the WFP SCADA equipment and software from JD Engineering, LLC. at a cost not to exceed \$39,175.00.

RESOLUTION NO. 2017-206

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Attorney Jimmy Graham presented a Notice of Claim filed by Mr. Michael Shawn Blakeney on behalf of minor Emma Grace Blakeney. City Attorney Graham stated that Mr. Blakeney alleges that the City of Phenix City is responsible for an injury sustained to the left middle finger of Emma Grace Blakeney, and that the injury is a result of the child's hand becoming caught between the closing door and door casing at the ladies restroom of the Idle Hour Sports Complex girls' softball fields on Saturday May 6, 2017. City Attorney Graham stated that according to the Parks and Recreation staff on duty that day, they did assist a child on May 6, 2017 who was injured in that fashion described in the claim. City Attorney Graham further stated that the staff on duty also detailed that the child appeared to be alone and completely unattended, and that immediately following the injury, the child's mother was found standing near Field 2. City Attorney Graham advised that Field 2 is located around the corner on the opposite side of the concessions building from the women's restroom, where the injury allegedly occurred. City Attorney Graham's recommendation was to deny the claim. Councilmember Day moved to take the city attorney's recommendation to deny the claim, which

motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Attorney Jimmy Graham presented a claim filed by Mr. Tommy Satterwhite. City Attorney Graham stated that Mr. Satterwhite alleges that the City of Phenix City is responsible for damages to his vehicle. City Attorney Graham stated that Mr. Satterwhites' vehicle was struck by a city vehicle driven by Officer Brandon Randle. The accident occurred July 27, 2017, at approximately 11:04 p.m. at Crawford Road and US-280. City Attorney Graham further stated that the accident occurred when Officer Randle hit Mr. Tommy Satterwhites' vehicle and Officer Randle was shown at fault in the accident. City Attorney Graham's recommendation was to approve the claim in the amount of \$800.00. Councilmember Gordy moved to take the city attorney's recommendation to approve the claim in the amount of \$800.00, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Attorney Jimmy Graham presented a claim filed by Ms. Marie Thomas. City Attorney Graham stated that Ms. Thomas alleges that the City of Phenix City is responsible for damages to her vehicle due to a pothole on US Highway 80 at White Rock Church on January 16, 2017 between 6:00 p.m. and 6:30 p.m. City Attorney Graham stated that according to the Utilities Department an asphalt cut was made on January 15, 2017 on US Highway 80 to renew the water service to 4 Crawford Church Road and were finished at approximately 4:22 p.m. that day. City Attorney Graham further stated that on January 16, 2017 at 7:20 p.m., the Utilities Department received a call from a concerned citizen about a hole forming in the pavement of US Highway 80, and by 8:15 p.m. that day, the Utilities Department placed more crushed stone in the asphalt cut. Mr. Graham stated that pictures were taken by a police officer at 10:27 p.m.

which show the asphalt cut filled with rock in a manner that would not have damaged westbound traffic. Mr. Graham stated that the Utilities Department had no other records of calls about a pothole or road construction at the location on January 16, 2017. City Attorney Graham stated that the asphalt cut was patched with asphalt at approximately 1:30 p.m. January 17, 2017. The claim states the damage occurred between 6:00 p.m. and 6:30 p.m. on January 16, 2017 before the Utilities Department received a call reporting a hole. City Attorney Graham's recommendation is to deny the claim. Councilmember Gordy moved to take the city attorney's recommendation 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: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Attorney Jimmy Graham presented a claim filed by Ms. Shatoya Thomas. City Attorney Graham stated that Ms. Thomas alleges that the City of Phenix City is responsible for damage to the entire front end, entire side, and personal items of the claimant's 1997 Acura vehicle. City Attorney Graham further stated that Ms. Thomas further stated that the City failed to warn drivers by not providing signs closing the road due to the flooded roadway on Knowles Road on Tuesday, July 25, 2017 after a flash flood. Mr. Graham stated that the Engineering/Public Works Department was not aware of the road issue at the time; it is not normal practice to drive into unknown waters on the roadway. City Attorney Graham further stated that according to the Engineering/Public Works Department there was an alternative route available. City Attorney Graham's recommendation was to deny the claim. Councilmember Gordy moved to take the city attorney's recommendation to deny the claim, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Manager Wallace Hunter spoke on a concert that was held at the Amphitheater on Saturday, August 12, 2017. The facility was rented out by a private promoter for a concert. Mr. Hunter wanted to make the citizens aware that this event was not sponsored by the City of Phenix City. The promotor did not have the funds to pay the staff for their entertainment and therefore they left the event. There were several citizens complaining. Mr. Hunter further stated that the Parks and Recreation Department will be informing the citizens that this was not a city held event.

City Manager Wallace Hunter and Councilmember Day commented on the passing of Councilmember Johnnie Robinson, Jr. and how dedicated he was to the City of Phenix City.

Councilmember Day stated that Saturday, August 19, 2017 is the last day for the Let's Talk program that is held in District Three.

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 September 6, 2017 at 9:00 a.m.