

**MEETING MINUTES
SEPTEMBER 6, 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, Wednesday, September 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 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 R. McKoon, and City Clerk Charlotte L. Goodrich.

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

Reverend R. Steven Reneau with Trinity United Methodist Church came forward to lead the invocation.

Mayor Lowe 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: Stephen Smith, Douglas Green, and Todd Hughes came forward.

Mayor Lowe presented the minutes of the August 10, 2017 budget hearing 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 August 14, 2017 regularly scheduled work session and the minutes of the August 15, 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. 2017-207 to be ratified in reference to settlement in the matter of Cameron Raider vs City of Phenix City in the amount of \$7,500.00.

RESOLUTION NO. 2017-207

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 Resolution No. 2017-208 to be ratified in reference to authorizing and directing the Mayor and City Manager to sign Change Order No. 1 with Fuel Systems, LLC in an amount not to exceed \$14,656.75.

RESOLUTION NO. 2017-208

Councilmember Day moved to ratify 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 Resolution No. 2017-209 to be ratified in reference to the purchase of one (1) 2017 Chevrolet Tahoe, Four Door Police Interceptor Utility Vehicle from Donohoo Chevrolet in an amount not to exceed \$32,889.00. (Budgeted Item)

RESOLUTION NO. 2017-209

Councilmember Gordy moved to ratify the resolution, which motion was seconded by Councilmember Day. 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 Resolution 2017-210 to be ratified in reference to accepting the proposal from Building & Earth for soil evaluation services at 2201 and 2113 Walker Court in an amount not to exceed \$4,300.00.

RESOLUTION NO. 2017-210

Councilmember Gordy moved to ratify 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 receiving the FY 2018 LSTA Strengthening Youth and Family Grant from the Alabama Public Library Service in the amount of \$15,000.00.

RESOLUTION NO. 2017-211

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 and public notice in reference to making application to the Bureau of Justice for a Justice Assistance Grant (JAG) for purchasing equipment for the Police Department.

PUBLIC NOTICE

Councilmember Day moved to approve the public notice and place the resolution 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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented a resolution in reference to accepting an agreement from the Foresite Group, Inc. for the 14th Street Downtown Streetscapes & ADA Improvements Project (TAPC-TA17(919)) in an amount not to exceed \$41,300.00.

RESOLUTION NO. 2017-212

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 granting an easement to Alabama Power Company to relocate a power line on City right-of-ways at locations on 12th Place, 14th Avenue and 16th Avenue.

RESOLUTION NO. 2017-213

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 authorizing the acquisition of additional right-of-way for the 5th Street South Resurfacing & Improvements Project.

RESOLUTION NO. 2017-214

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 public notice setting the date for a Special Called Election for the position of Council District Post 2 for the City of Phenix City.

PUBLIC NOTICE

Councilmember Day moved to approve the public notice, 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 a 1984 Ford 700 Truck as surplus to be sold at the auction or as scrap.

RESOLUTION NO. 2017-215

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 a 1996 Chevrolet CC 3500 Pick-Up as surplus to be sold at the auction or as scrap.

RESOLUTION NO. 2017-216

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 declaring a 1997 Ford F-250 Pick-Up as surplus to be sold at the auction or as scrap.

RESOLUTION NO. 2017-217

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 items surplus to be disposed of or destroyed at the City Landfill.

RESOLUTION NO. 2017-218

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 a resolution in reference to extending the contract with Emily Peterson for Web Specialist Services in the amount of \$2,822.11 per month on a month to month basis.

RESOLUTION NO. 2017-219

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 a resolution in reference to rejecting bids received for Outdoor LED Lighting for the Wastewater Treatment Plant.

RESOLUTION NO. 2017-220

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 rejecting bids received for Keyless Gate Controls for the Wastewater Treatment Plant.

RESOLUTION NO. 2017-221

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 one opening on the Historic Preservation Commission for the unexpired term of JoAnn Beck. Councilmember Gordy nominated to appoint Larry Brown for the position. Mayor Lowe called for a motion to approve the nomination of Larry Brown to the Historic Preservation Commission. Councilmember Bailey moved to approve said nomination, 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 two (2) openings on the Personnel Review Board for the positions of Bobby Kilcrease and Barbara Mitchell. Mayor Lowe called for nominations for the positions of Bobby Kilcrease and Barbara Mitchell. Councilmember Gordy nominated to reappoint Bobby Kilcrease for the position. Councilmember Day nominated Barbara Mitchell to be reappointed. Mayor Lowe then declared the nominations closed. Councilmember Bailey moved to reappoint Bobby Kilcrease, 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 called for the vote for Barbara Mitchell. Councilmember Gordy moved to reappoint Barbara Mitchell, 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 James McKoon presented a claim filed by Benjamin Alexander. City Attorney McKoon stated that Mr. Alexander alleges that the City of Phenix City is responsible for damages to the claimant's 2003 White Chevrolet Silverado as well as reimbursement of medical expenses and loss of wages. City Attorney McKoon stated that Mr. Alexander stated that on August 7, 2015 after a heavy storm, the road washed away causing a large pothole. City Attorney McKoon stated the Engineering/Public Works Department investigated the area and this portion of Abercrombie Road is maintained by Russell County not the City of Phenix City. City Attorney McKoon's recommendation is 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. YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

City Attorney James McKoon presented a claim filed by Tanja Cady. City Attorney McKoon stated that Ms. Cady alleges that the City of Phenix City is responsible for damages to the windshield of her vehicle due to a rock from a weed eater while driving on JR Allen Parkway. City Attorney McKoon stated that Ms. Cady has been reimbursed by her insurance company USAA who has written a letter of request to the City for payment. City Attorney McKoon further stated the City requires three estimates which Ms. Cady did not submit. City Attorney McKoon also stated that the claimant who needs to file is USAA, and his office will notify USAA of that. City Attorney Jimmy McKoon's recommendation is 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. YEAS: Councilmembers Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Parks and Recreation Director Todd Hughes reminded everyone of the White Water Classic that will be held on September 9, 2017. Mr. Hughes also reminded everyone of the upcoming Press Conference at Idle Hour Park regarding the White Water Classic at 10:00 a.m. September 9, 2017.

Councilmember Day thanked the citizens for attending the Let's Talk Sessions in District Three.

Councilmember Bailey thanked the Department Heads for their hard work and dedication and he also thanked the citizens of Phenix City.

There being no further business to come before council, the meeting adjourned until September 19, 2017 at 6:00 p.m.