

**MEETING MINUTES
SEPTEMBER 19, 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, September 19, 2017 in the 5th Street South Youth Center located at 1601 5th Street South, 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 Jimmy Graham, and City Clerk Charlotte L. Goodrich.

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

Associate Pastor Keith Badowski with Epworth United Methodist Church came forward to lead the invocation.

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

Mayor Lowe presented the minutes of the September 5, 2017 with the Downtown Redevelopment Authority for approval. Councilmember Day 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, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Gordy. The motion carried.

Mayor Lowe presented the minutes of the September 5, 2017 regularly scheduled work session for approval. Councilmember Day 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, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Gordy. The motion carried.

Mayor Lowe presented the minutes of the September 6, 2017 regularly scheduled council meeting 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 stated there was no unfinished business to address.

Mayor Lowe next declared that now was the time and place for a public hearing regarding a resolution in reference to making application to the Bureau of Justice for a Justice Assistance Grant (JAG) for purchasing equipment for the Police Department. Neither hearing nor seeing anyone come forward to address council, Mayor Lowe declared the public hearing closed.

Mayor Lowe presented a resolution in reference to making application to the Bureau of Justice for a Justice Assistance Grant (JAG) for purchasing equipment for the Police Department.

RESOLUTION NO. 2017-222

Councilmember Gordy moved to approve 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 a resolution in reference to authorizing the Mayor and City Manager to sign Change Order Number 1 in an amount not to exceed \$9,896.68 with Constantine Engineering, Inc. to perform work at the Glenwood Storage Tank to improve water pressure along Summerville Road.

RESOLUTION NO. 2017-223

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 authorizing carrying forward of \$1,100,000.00 in unencumbered funds from the Phenix City Fiscal Year 2017 Budget to the Phenix City Fiscal Year 2018 Budget.

RESOLUTION NO. 2017-224

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 budget transfers for the 2016-2017 Fiscal Year.

RESOLUTION NO. 2017-225

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 next declared that now was the time and place for a public hearing regarding the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon properties at the following locations in Phenix City, Alabama; anyone wishing to address council regarding these matters should come forward now:

- 1) 1007 17th Avenue
- 2) 605 7th Place
- 3) 301 21st Street

Neither hearing nor seeing anyone come forward on the matters, Mayor Lowe declared the public hearings closed.

Mayor Lowe next presented three (3) resolutions regarding the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon properties located at:

1. 1007 17th Avenue

RESOLUTION NO. 2017-226

2. 605 7th Place

RESOLUTION NO. 2017-227

3. 301 21st Street

RESOLUTION NO. 2017-228

Councilmember Day moved to approve the resolutions, 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 items surplus to be disposed of at the City Landfill.

RESOLUTION NO. 2017-229

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 declaring items surplus to be disposed of at the City Landfill.

RESOLUTION NO. 2017-230

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 accepting a bid from Outdoor Solutions for landscape maintenance of Broad Street/Dillingham Park, Moon Lake Martin-Idle Hour Park and Whitewater Avenue in the amount of \$186,975.00 for a 36 month contract beginning October 1, 2017 through September 30, 2020.

RESOLUTION NO. 2017-231

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 for first reading an ordinance authorizing the Issuance of General Obligations Warrants, series 2017C, in the amount of \$4,695,000.00.

ORDINANCE NO. 2017-23

Councilmember Day moved to dispense with the reading of the ordinance, 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. Councilmember Gordy moved to suspend the rules, 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. Councilmember Day moved to approve the ordinance, 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.

City Attorney Jimmy Graham presented a claim filed by Brandon McClain. City Attorney Graham stated that Mr. McClain alleges that the City of Phenix City is responsible for damages to the claimant's water heater on August 24, 2017 due to dirt in the lines at 4507 22nd Avenue. City Attorney Graham stated that Mr. McClain also stated that the discolored water was black and dark brown and had a rust color and the Water Filtration Plant Operator recommended letting the water run until it runs clear. City Attorney Graham stated that the Utilities Department Engineer advised that discolored water can be caused by rust from pipes and or water heaters and the City of Phenix City is not at fault. Mr. Graham further stated that according to the Russell County GIS, the house at 4507 22nd Avenue was built in 1950. The discolored water and mud could be from rust in the pipes. The rupture of the old water heater was the likely caused by the rusting. City Attorney Graham recommended 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.

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

Councilmember Bailey, Councilmember Gordy, and Councilmember Day thanked the City Manager and Department Heads on how fast the City Workers responded to the calls from the citizens of Phenix City during the storm on September 11, 2017.

Councilmember Day commented on how much he enjoyed the event at the amphitheater and also the White Water Classic game. Mr. Day also thanked the citizens who supported the White Water Classic game.

Councilmember Day thanked District Three for coming out to council meeting tonight. Mr. Day also wanted to remind the citizens that legals the City runs are placed in the Citizen Newspaper.

There being no further business to come before council, the meeting adjourned until October 3, 2017 at 9:00 a.m.