

**MEETING MINUTES
OCTOBER 3, 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, October 3, 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 Jimmy Graham, and City Clerk Charlotte L. Goodrich.

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

Reverend Jim Caldwell with Central Baptist Church came forward to lead the invocation.

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

City Manager Wallace Hunter and Human Resources Director Stephanie Chastain presented Certificates of Appreciation to the following employees for Years of Dedicated Service: Henry Edmond, Eddie Gilliam, Robert Williams, Barbara Stevenson, Donna Ward, and Mikel Wilborn.

City Manager Wallace Hunter recognized the Human Resource Department for their hard work and dedication in earning certificates in their field of work.

Mayor Lowe presented a proclamation recognizing Darius Thomas.

PROCLAMATION

Darius Thomas came forward to accept the Proclamation.

Mayor Lowe presented a proclamation recognizing Davornne Lindo.

PROCLAMATION

Davornne Lindo, various staff of Central High School, and representatives of the ROTC came forward to accept the Proclamation.

Mayor Lowe presented a proclamation recognizing Breast Cancer Awareness Month, Paint the Town Pink.

PROCLAMATION

Cheryl Johnson along with Board of Directors, Committee Members, and Staff came forward to accept the Proclamation.

Mayor Lowe presented a proclamation recognizing National Domestic Violence Awareness Month.

PROCLAMATION

Shelter Manager Vivian DuPriest, Program Supervisor Dana Dolly, and Community Educator Janie Potts came forward to accept the Proclamation.

Mayor Lowe presented the minutes of the September 18, 2017 regularly scheduled work session and the minutes of the September 19, 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 presented a resolution in reference to authorizing, adopting, and directing the use of DS200 Precinct Scanner and Tabulator electronic vote counting system for use in all elections held in Phenix City.

RESOLUTION NO. 2017-232

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 appointing election officials or poll workers for the Special Called Municipal Election to be held November 14, 2017.

RESOLUTION NO. 2017-233

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 establishing the pay for election officials or poll workers for the Special Called Municipal Election to be held November 14, 2017.

RESOLUTION NO. 2017-234

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 accepting a proposal from AECOM for the Brickyard Road Resurfacing in an amount not to exceed \$42,347.00.

RESOLUTION NO. 2017-235

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 accepting a proposal from AECOM for the South Railroad Street Resurfacing in an amount not to exceed \$38,373.00.

RESOLUTION NO. 2017-236

Councilmember Day 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 awarding a bid to Ozark Striping Company, Inc. for Traffic Striping and Markings.

RESOLUTION NO. 2017-237

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 awarding a bid to Thompson Supply Company for HDPE Drainage Pipe.

RESOLUTION NO. 2017-238

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 and directing the Mayor, City Manager, and Chief of Police to enter into an agreement for the administration of grant funds through the SEARHSO-ESCC-Community Traffic Safety Program from October 1, 2017 through September 30, 2018.

RESOLUTION NO. 2017-239

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 awarding a bid to CEDARCHEM, LLC for Zinc-Orthophosphate.

RESOLUTION NO. 2017-240

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 for first reading an ordinance in reference to the use of Electronic Vote Counting Devices.

ORDINANCE NO. 2017-24

Councilmember Day moved to suspend the rules, 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 Day moved to approve the ordinance, 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 for first reading an ordinance in reference to amending Section 4.10 of the Merit System Rules and Regulations of the City of Phenix City, Alabama. Councilmember Day moved to place the ordinance 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 for first reading an ordinance in reference to amending Section 10.01 of the Merit System Rules and Regulations of the City of Phenix City, Alabama. Councilmember Day moved to place the ordinance 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 for first reading an ordinance in reference to amending Section 14.05 of the Merit System Rules and Regulations of the City of Phenix City, Alabama. Councilmember Day moved to place the ordinance 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 for first reading an ordinance in reference to amending Section 16.04-B of the Merit System Rules and Regulations of the City of Phenix City, Alabama. Councilmember Day moved to place the ordinance 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 for first reading an ordinance in reference to amending Section 16.10-D-3 of the Merit System Rules and Regulations of the City of Phenix City, Alabama. Councilmember Gordy moved to 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 Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented for first reading an ordinance in reference to amending Section 16.12 of the Merit System Rules and Regulations of the City of Phenix City, Alabama. Councilmember Gordy moved to place the ordinance on first reading, 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 for first reading an ordinance in reference to the Departments or Offices of the City of Phenix City, Alabama. Councilmember Day moved to place the ordinance 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 an Application for Conditional Use approval submitted by C.F. Haines, Jr. for a funeral home located at 1112 Broad Street. City Clerk Charlotte Goodrich read the letter from the Planning Commission:

LETTER

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

Mayor Lowe presented one opening on the Housing Code Abatement Board. Councilmember Bailey nominated Bronny Brown. There were no other nominations.

Councilmember Gordy moved to appoint Bronny Brown, 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 one opening on The Improvement District of the City of Phenix City, Alabama, The Brickyard Project. Councilmember Gordy moved to reappoint William Graham, 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 one opening on The Improvement District of the City of Phenix City, Alabama, Grand Reserve Project. Councilmember Day moved to reappoint Randy Knowles, 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 two openings on the Tree Commission. Councilmember Day nominated Mary None to the former position of Betty LaBlanc. There were no other nominations. Councilmember Gordy moved to appoint Mary None to the former position of Betty LaBlanc, and table the former position of Melanie Oswalt, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented applications for an Off Premise Beer License and an Off premise Wine License submitted by Allen Dixon d/b/a Dixon American Eagle, LLC for American Eagle 2 located at 3881 Highway 431 South, Phenix City, Alabama. Councilmember Day moved to place the applications on first reading, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented applications for an On Premise Whiskey/Wine License, and a Billiards/Pool Room License submitted by Rudolph Martin and Dexter Billingsley for The Honeycomb located at 202 Seale Rod, Suite B&C, Phenix City, Alabama. Councilmember Day moved to place the applications on first reading, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented an Itemized Statement of Expense from Councilmember Arthur L. Day, Jr. in the amount of \$20.00. Councilmember Gordy moved to approve the expense, 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: Councilmember Day. The motion carried.

Mayor Lowe presented an Itemized Statement of Expense from Trevor Eiland in the amount of \$42.95. Councilmember Gordy moved to approve the expense, 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 Itemized Statements of Expense from Austin Hodge in the amounts of \$38.62 and \$33.43. Councilmember Day moved to approve both the expenses, 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 Funderburk & Lane for Michael S. Linton. City Attorney Graham stated that the claim alleges that the City is responsible for damages to Mr. Linton's right hand and right knee. The claimant states that on August 19, 2017 while working on a burial site he stood on a manhole cover, and the cover flipped up causing him to fall. The Engineering/Public Works Department was not aware of any issue with this manhole cover and since then the manhole cover has been repaired. It was also noted that this manhole is not located in a sidewalk or normal walking area. City Attorney Graham advised that another person had been injured on this same manhole in a similar fashion, and Emergency Responders were called and transported her to the hospital – all while Mr. Linton was standing there. City Attorney Graham advised Mr. Linton should have been aware of the other person's incident, as it happened right before Mr. Linton's incident. City Attorney Graham recommended denying 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 presented a resolution in reference to approving the application to The Miracle League in the amount of \$500.00 to establish a Miracle Baseball League and the construction of a Miracle League Field at Lakewood Park.

RESOLUTION NO. 2017-241

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.

City Manager Wallace Hunter called on Library Director Michele Kilday. Ms. Kilday advised that on Thursday, October 19, 2017 from 2:00 to 6:00 pm, Mr. Jim Cannon will be present for a book signing for his book, Phenix City Pictorial Memories. There is a special price for the book for the month of October, \$39.99.

City Manager Wallace Hunter announced that for the first time in Phenix City, there is now an Assistant City Manager, Mr. Stephen Smith.

Councilmember Gordy asked that everyone keep Las Vegas in their prayers.

Councilmember Day praised Human Resources for their earning certificates of furthering education in their HR field; he praised Central High School for setting a high level; he further advised that Saturday, October 7 will be the Tuskee-Moorehouse Parade.

City Manager Wallace Hunter commented on cities being prepared for emergencies.

Councilmember Bailey commented on how well prepared the City of Phenix City is for emergencies.

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 October 17, 2017 at 9:00 a.m.