

**MEETING MINUTES
OCTOBER 17, 2017**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, October 17, 2017 at 9:00 a.m. in the Council Chambers within the Public Safety Building located at 1111 Broad Street, Phenix City, Alabama. Upon roll call, the following members of Council were present: Councilmember Arthur L. Day, Jr., Councilmember Steve Bailey, Councilmember R. Griff Gordy, and Mayor Eddie N. Lowe. Also present were City Manager Wallace B. Hunter, City Attorney James P. Graham, Jr. and City Clerk Charlotte L. Goodrich.

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

Mayor Lowe called upon Reverend Steve Reneau with Trinity United Methodist Church to provide the invocation for the meeting.

Councilmember Day led the pledge of allegiance to the United States Flag.

Mayor Lowe presented Awards of Excellence to the Water Distribution System and Waste Water Treatment Plant for Operations Achieved for 2017 from the Alabama Water and Pollution Association.

Utilities Director Stephen Smith came forward to accept the awards along with the following Utility Department Employees: Jeremy – Wastewater Treatment Plant, Marcus – Water Distribution System, Mike – Water Treatment Plant and Denorris – Superintendent of Field Crews.

Mayor Lowe presented the minutes of the October 2, 2017 work session and the October 3, 2017 council meeting for approval. Councilmember Day moved to approve the minutes, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

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

Mayor Lowe presented Resolution 2017-242 to be ratified authorizing and directing the Mayor and City Manager to sign Change Order No. 1 with Key Construction Company, Inc., in the amount of \$2,700 for the construction of restrooms on the Riverwalk.

RESOLUTION NO. 2017-242

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

Mayor Lowe presented a resolution awarding the bid for aggregates to Columbus Quarry, LLC.

RESOLUTION NO. 2017-243

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

Mayor Lowe presented a resolution to purchase one Custom Class "A" Pumper Fire Apparatus mounted on a Custom Emergency One Typhoon Chassis in the amount of \$513,741 from Sunbelt Fire, Inc.

RESOLUTION NO. 2017-244

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

Mayor Lowe presented a resolution to purchase one Power Turf Renovation 60" Sports Turf Resurfacing Machine in the amount of \$10,995 from Power Turf Renovation.

RESOLUTION NO. 2017-245

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

Mayor Lowe presented for second reading an ordinance in reference to amending Section 4.10 of the Merit System Rules and Regulation of the City of Phenix City, Alabama. (First Reading 10/03/17)

ORDINANCE NO. 2017-25

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

Mayor Lowe presented for second reading an ordinance in reference to amending Section 10.01 of the Merit System Rules and Regulations of the City of Phenix City, Alabama. (First Reading 10/03/17)

ORDINANCE NO. 2017-26

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

Mayor Lowe presented for second reading an ordinance in reference to amending Section 14.05, Group 1 Line 14 Offenses of the Merit System Rules and Regulations of the City of Phenix City, Alabama. (First Reading 10/03/17)

ORDINANCE NO. 2017-27

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

Mayor Lowe presented for second 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. (First Reading 10/03/17)

ORDINANCE NO. 2017-28

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

Mayor Lowe presented for second 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. (First Reading 10/03/17)

ORDINANCE NO. 2017-29

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

Mayor Lowe presented for second reading an ordinance in reference to amending Section 16.12 of the Merit System Rules and Regulations of the City of Phenix City, Alabama. (First Reading 10/03/17)

ORDINANCE NO. 2017-30

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

Mayor Lowe presented for second reading an ordinance in reference to establishing the Departments and Offices of the City of Phenix City, Alabama. (First Reading 10/03/17)

ORDINANCE NO. 2017-31

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

Mayor Lowe presented one (1) opening on the Phenix City Tree Commission (previously tabled). Councilmember Bailey nominated Mr. Donnie Pitts to the position. Councilmember Day moved to appoint Mr. Pitts to the Phenix City Tree Commission, said motion being seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented for second reading applications for off premise beer and 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; first Reading having been October 3, 2017. Councilmember Gordy moved to approve said applications, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented for second reading applications for on premise beer, on premise whiskey/wine and billiards/pool room licenses submitted by Rudolph Martin and Dexter Billingsley for The Honeycomb located at 202 Seale Road, Suite B&C, Phenix City, Alabama; first reading having been October 3, 2017. Councilmember Day moved to table said applications, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented itemized statements of expense for Trevor Eiland of the Fire Department in the amount of \$28.77. Councilmember Gordy moved to approve said expense statement, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented three (3) itemized statements of expense for Austin Hodge of the Fire Department in the amount of \$31.72; \$33.02 and \$23.19, totaling \$87.93. Councilmember Day moved to approve the itemized statements of expense, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Attorney Graham was called upon to present a claim against the City of Phenix City, Alabama filed by Samuel Alexander. City Attorney Graham stated Mr. Alexander's claim alleges the city is responsible for sewer back flow into his home on three (3) occasions. Mr.

Alexander is seeking to recover damages to his property caused by the sewer back flow. City Attorney Graham recommended Council deny the claim citing an investigation into the issue showed that Mr. Alexander did have issues with sewer back flow due to the service line being attached to the side of the sewer main rather than the top and the grade of the property. The home sits slightly lower than the main and the service line runs flat (level with the sewer main). This causes back flow into the property at any time when there is something already in the line. It was suggested that installation of a valve could help prevent this problem in the future. Councilmember Gordy moved to follow the recommendation of the City Attorney 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: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Manager Hunter thanked the department heads for the jobs they do. He also congratulated the Utilities Department on their awards and thanked the employees for their efforts.

Chief of Police Ray Smith announced for the citizens that it is the Police Departments advice that Halloween be observed October 31st from 5:00 p.m. to 8:00 p.m. for the safety of the trick or treaters.

Councilmember Bailey thanked the Department Heads and employees for their work.

Councilmember Day stated during a meeting he attended wrong information was given about the city; he urged citizens to come to the city offices with their questions and concerns regarding city related issues.

Mayor Lowe spoke on the many positive things going on in Phenix City. He thanked the City Manager and Department Heads.

Mayor Lowe thanked Cable TV of East Alabama for taping and televising the meeting for the citizens.

There being no further business to address, the meeting thus adjourned at 9:40 a.m. until November 7, 2017.