

**MEETING MINUTES
NOVEMBER 21, 2017**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, November 21, 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 Acting City Clerk Melony Lee.

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

Mayor Lowe called upon Reverend Steve Pace with Summerville Baptist Church to provide the invocation for the meeting.

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

Mayor Lowe presented the minutes of the November 6, 2017 work session and the November 7, 2017 council meeting for approval. Councilmember Day moved to approve the minutes, 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 stated there was no unfinished business to address at this time.

Mayor Lowe presented a resolution in reference to continuing the moratorium on annexations into the City of Phenix City.

RESOLUTION NO. 2017-302

Councilmember Gordy moved to approve said resolution, 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 a resolution in reference to entering into an agreement for Professional Services between the Phenix City Police Department and the Phenix City Housing Authority.

RESOLUTION NO. 2017-303

Councilmember Day moved to approve 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 in reference to authorizing and directing the City Attorney to secure an opinion from the Attorney General of Alabama regarding the definition of domicile as relating to voting.

RESOLUTION NO. 2017-304

Councilmember Gordy moved to approve said resolution, 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 an Off Premise Beer License and an Off Premise Wine License submitted by Muhammad S. Khan for S A K Inc. d/b/a Fuel Tech located at 1614 280 Bypass, Phenix City, Alabama. 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 three (3) itemized statements of expense for Austin Hodge of the Fire Department in the amount of \$31.57; \$24.15 and \$18.52, totaling \$74.24. Councilmember Gordy moved to approve the itemized statements of expense, 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 Attorney Graham was called upon to present a claim (previously tabled) against the City of Phenix City, Alabama filed by Centerline Contracting, Inc. City Attorney Graham stated Centerline Contracting, Inc. claim alleges the city is responsible for work performed by Centerline Contracting, Inc. for Project No. U16-21, Riverchase Drive & US 80 Borings. City Attorney Graham recommended Council to table the claim again citing more time to gather information. Councilmember Day moved to follow the recommendation of the City Attorney to table the claim, 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 Lillie B. Austin. City Attorney Graham stated Lillie B. Austin's claim alleges that the City of Phenix City is responsible for damages to a fence, caused from a fallen tree during Hurrigan Irma. City Attorney Graham recommended Council deny the claim citing the City is not responsible for an act of God. Councilmember Gordy moved to follow the recommendation of the City Attorney 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: 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 Shacoya D. Perdue. City Attorney Graham stated Shacoya D. Perdue's claim alleges that the City of Phenix City is responsible for damages to a fence, caused from fallen trees during Hurrigan Irma. City Attorney Graham recommended Council deny the claim citing the City is not responsible for an act of God. Councilmember Day moved to follow the

recommendation of the City Attorney 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: 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 Funderburk & Lane for Stacie L. Cook, Frank Cook, III, and Wesley Rylan Cook. City Attorney Graham stated Funderburk & Lane for Stacie L. Cook, Frank Cook, III, and Wesley Rylan Cook's claim alleges that the City of Phenix City is responsible for damages caused by a manhole cover that flipped up. City Attorney Graham recommended Council deny the claim citing the City was not aware of any issues with the manhole cover and that this manhole is not located in a sidewalk or normal walking area. Councilmember Gordy moved to follow the recommendation of the City Attorney 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: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Manager Wallace Hunter discussed voting for the Special Municipal Election.

Councilmember Bailey discussed voting for the Special Municipal Election. Councilmember Bailey thanked Acting City Clerk Melony Lee for her hard work and dedication during the Special Municipal Election. Councilmember Bailey also thanked Judge Alford Harden for his work during the election. Councilmember Bailey wished everyone a Happy Thanksgiving.

Parks & Recreation Director Todd Hughes went over the upcoming Christmas events put on by the Parks & Recreation Department. Mr. Hughes advised that Central High School is in the State Semi-finals against McGill-Toolen.

City Manager Wallace Hunter advised everyone to express their appreciation for Rebecca Harris for the job she has done and that she will be retiring December 29, 2017.

Library Director Michele Kilday advised that Mr. Jim Cannon will be at the library today to sign books.

City Manager Wallace Hunter thanked Acting City Clerk Melony Lee for her hard work and dedication.

Councilmember Gordy wished everyone a Happy Thanksgiving.

Councilmember Day thanked Acting City Clerk Melony Lee for her hard work. Councilmember Day wished everyone a Happy Thanksgiving.

Mayor Lowe wished everyone a Happy Thanksgiving.

There being no further business to address, the meeting thus adjourned at 9:34 a.m. until December 5, 2017.