

**MEETING MINUTES
December 5, 2017**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, December 5, 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., Acting City Clerk Melony Lee.

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

Reverend Steve Reneau with Trinity United Methodist Church came forward to deliver the invocation.

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

City Manager Wallace Hunter and HR Director Stephanie Chastain presented the Employee Service Recognition to Eldrick Kennedy (5 years of service), George Staudinger (25 years of service), and Mike Dempsey (15 years of service).

Mayor Lowe presented the minutes of the November 20, 2017 work session and the November 21, 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 presented the minutes of a called meeting on November 21, 2017 for the election results. Councilmember Gordy 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 Resolution No. 2017-306 to be ratified in reference to accepting a proposal from Peach Engineering to develop plans for a new Heating and Air Conditioning System at the Central Activities Center.

RESOLUTION NO. 2017-306

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 Resolution No. 2017-307 to be ratified in reference to authorizing and directing the Mayor and City Manager to sign an amended lease agreement with Altera Development Company, LLC.

RESOLUTION NO. 2017-307

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 the Mayor and City Manager to sign a contract with Outfront Media for advertising services in an amount not to exceed \$3,000.00.

RESOLUTION NO. 2017-308

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 in reference to authorizing the Mayor and City Manager to sign an agreement with ALDOT for the installation and maintenance of the traffic signal and lighting within the State Right-of-Way of Riverchase Drive and the US-80 Ramps.

RESOLUTION NO. 2017-309

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 in reference to authorizing the Mayor and City Manager to enter into a right-of-way acquisition agreement with Will Mueller and Kathryn Spano.

RESOLUTION NO. 2017-310

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 the Mayor and City Manager to grant a drainage and detention pond easement to BFL, LLC for the construction and maintenance of storm water management facilities on City property located on Riverchase Drive.

RESOLUTION NO. 2017-311

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 authorizing the Mayor and City Manager to renew a contract with Robinson Paving for Hot Mix Asphalt Paving and Roadway Improvements.

RESOLUTION NO. 2017-312

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 a resolution in reference to declaring three chairs as surplus to be disposed of at the landfill.

RESOLUTION NO. 2017-313

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 declaring old tanks, pipe couplings, and lockers as surplus to be sold as scrap or disposed of at the landfill.

RESOLUTION NO. 2017-314

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 for first reading an ordinance to exempt certain items from Municipal Sales and Use Tax during the last full weekend in February 2018, referred to as the Severe Weather Preparedness Tax Holiday. 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: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented for first reading an ordinance to amend Section 3 (c) of the Code of Ordinances of the City of Phenix City, Alabama, Chapter 13, Licenses and Permits, Article 1. 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: Councilmember Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented for first reading an ordinance to amend Section 5 and Section 16 of the Code of Ordinances of the City of Phenix City, Alabama, Chapter 13, Licenses and Permits, Article 1. 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: Councilmember Day, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented a Letter of request from the Planning Commission, and Ordinance to de-annex a 22.27 acre tract of land situated in Section 5, Township 17 North, Range 30 East, Russell County, Alabama (Newsome Road), EEH Holdings, LLC, Owner. Councilmember Gordy moved to accept the letter and 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: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented one opening on the Phenix City-Russell County Library Board. Councilmember Day nominated to reappoint James Eberhardt. There were no other nominations. Councilmember Gordy moved to reappoint James Eberhardt 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 first reading applications for an Off Premise Beer License and a Whiskey/Wine-Package Store License submitted by Bessie L. Jackson for Jackson and Son located at 3502 South Seale Road, 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: Councilmember Day, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented two (2) itemized statements of expense for Austin Hodge of the Fire Department in the amount of \$27.16 and \$28.52, totaling \$55.68. Councilmember Day moved to approve the itemized statements of expense, 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 (previously tabled) against the City of Phenix City, Alabama filed by Centerline Contracting, Inc. City Attorney Graham stated the claim alleges the city is responsible for paying for work performed by Centerline Contracting, Inc. for Project No. U16-21, Riverchase Drive & US 80 Borings. City Attorney Graham recommended Council to deny the claim and recommended approving a resolution giving City Attorney Graham permission to sue Centerline Contracting for breach of contract and walking off the job.

RESOLUTION NO. 2017-315

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. Councilmember Gordy made a motion to accept the City Attorney's recommendation and 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 Attorney Graham presented a claim against the City of Phenix City, Alabama filed by Danielle Williams. City Attorney Graham stated Danielle Williams' claim alleges that the City of Phenix City is responsible for damages to a tire, caused from a manhole cover at William Boddie Street and 9th Street. City Attorney Graham recommended Council deny the claim citing the dates of incident and reporting do not match up. 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 presented a claim against the City of Phenix City, Alabama filed by USAA Casualty Insurance Company for Angel Perry. City Attorney Graham stated the claim alleges that the City of Phenix City is responsible for damages caused by an automobile accident. The amount of damage to the vehicle is \$1,301.22. City Attorney Graham recommended Council pay the claim in that amount. Councilmember Gordy moved to follow the recommendation of the City Attorney to pay 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 gave thanks to Parks and Recreation for the Christmas parade being a successful event on Saturday.

Parks & Recreation Director Todd Hughes went over the upcoming Christmas events put on by the Parks & Recreation Department.

Councilmember Bailey thanked Acting City Clerk Melony Lee for her hard work. Councilmember Bailey also thanked the department heads for all the hard work they do for the city. Councilmember Bailey wished all a wonderful holiday season and for everyone to be safe.

Councilmember Gordy mentioned one more event going on this weekend. More than a Game is holding a free baseball clinic from 1p.m. to 4p.m.

Councilmember Day advised that the More than a Game event is in his district and he is more than proud to have such a wonderful event scheduled for the community.

Councilmember Day advised that we are coming upon the holiday season and the reason for the season is Jesus Christ. It is all about giving back to the community, giving to the less fortunate, and hoping that God will continue to bless us.

Councilmember Day reminded Mayor and Council of his upcoming luncheon in January.

There being no further business to address, the meeting thus adjourned at 9:34 a.m. until December 18, 2017.