

**MEETING MINUTES
February 6, 2018**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, February 6, 2018 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 Vickey Carter Johnson, Councilmember Steve Bailey, Councilmember R. Griff Gordy, and Mayor Eddie N. Lowe. Also present were City Manager Wallace B. Hunter, City Attorney Jim McKoon, and City Clerk Melony Lee. City Attorney James P. Graham, Jr. was not present.

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

Reverend T. Grant Parker, Sr. of Epworth United Methodist Church came forward to deliver the invocation.

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

Mayor Lowe presented certificates to the 2017 Mayor's Ball Scholarship Recipients for the Dual Enrollment Program. The following students and their parents came forward to accept their scholarship certificates: Jeffrey Eugene Bowman, Jr., Paul Dane Carroll, Jonathan Emmanuel Doleman, Ivey Elizabeth East, Janiah Yolanda Fryer, Kabirah Gibson-Muhammad, Jaleigh Essie Hardin, Kaliece M. Henry, Christian Thomas Luke, Tanijya Nicole Lyles, Axel Isaias Moreno, Christopher Michael Rogers, Banks Paul Stamp, Siani Mykaila Tripp, Abigail Virginia Williams, and Kendall Rollins Williams. Mayor Lowe introduced the Committee Board members to the recipients. Superintendent Randy Wilkes of the Phenix City Board of Education was present along with various members of the board. Jacqueline Screws, President of Chattahoochee Valley Community College, and Joree Jones, Dean of Institutional Advancement & Effectiveness were also present.

Mayor Lowe presented the proclamation Recognizing Career Technical Education Week.

PROCLAMATION

Mr. Jason Sasser came forward to accept the proclamation.

Mayor Lower presented the proclamation recognizing United Way 2-1-1 Day.

PROCLAMATION

Candace Poole and Scott Ferguson came forward to accept the proclamation.

Mayor Lowe presented the minutes of the January 2, 2018 work session for approval. Councilmember Gordy moved to approve the minutes, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

Mayor Lowe presented the minutes of the January 3, 2018 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, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

Mayor Lowe presented the minutes of the January 4, 2018 Oath of Office 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, Johnson, Bailey, and Mayor Lowe. NAYS: None. ABSTAIN: Councilmember Gordy. The motion carried.

Mayor Lowe presented the minutes of the January 16, 2018 work session for approval. Councilmember Day moved to approve the minutes, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion carried.

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

Mayor Lowe presented Resolution No. 2018-06 to be ratified in reference to authorizing the Mayor and City Manager to enter into a contract with Thompson Insurance, Inc. for calendar year 2018 in an amount not to exceed \$187,006.00.

RESOLUTION NO. 2018-06

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

Mayor Lowe presented a resolution in reference to accepting a proposal from Thompson Power Systems for Preventative Maintenance Services for generators in the amount of \$18,680.00.

RESOLUTION NO. 2018-07

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

Mayor Lowe presented a resolution in reference to accepting a proposal from ADS Environment Systems for flow meters in the amount of \$3,065.00.

RESOLUTION NO. 2018-08

Councilmember Day moved to approve said resolution, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, 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 an agreement in the amount of \$14,950.00 with Municipal Code Corporation for the recodification of the Code of Ordinances of the City of Phenix City, Alabama.

RESOLUTION NO. 2018-09

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

Mayor Lowe presented a resolution in reference to directing the Mayor and City Manager to enter into a contract with Scenic Properties, LLC, for lobbyist services in an amount not to exceed \$17,500.00 annually.

RESOLUTION NO. 2018-10

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

Mayor Lowe presented a resolution in reference to renewing the tax structure of the City of Phenix City, Alabama for the tax year beginning October 1, 2018.

RESOLUTION NO. 2018-11

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, Johnson, 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 Company for Hot Mix Asphalt Paving.

RESOLUTION NO. 2018-12

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

Mayor Lowe presented a resolution in reference to the satisfaction of a Special Assessment on property located at 522 22nd Avenue, Robert R. Francis, Owner.

RESOLUTION NO. 2018-13

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

Mayor Lowe presented a resolution in reference to the satisfaction of a Special Assessment on property located at 921 Knowles Road, Stanley Chambers, Owner.

RESOLUTION NO. 2018-14

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

Mayor Lowe presented a resolution in reference to the satisfaction of a Special Assessment on property located at 918 North Railroad Street, Thurston E. Grow, Owner.

RESOLUTION NO. 2018-15

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

Mayor Lowe presented a resolution in reference to authorizing the takeover of monthly payments to Alabama Power Company for one (1) street light located at 2612 5th Street, in Orchard Hills Subdivision.

RESOLUTION NO. 2018-16

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

Mayor Lowe presented a resolution in reference to the support of appropriate legislative action for the highway extension of Interstate 14 to and through Phenix City, Alabama.

RESOLUTION NO. 2018-17

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, Johnson, 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 assist the Housing Authority by expending \$75,000.00 to improve the traffic flows at Hidden Hills Development.

RESOLUTION NO. 2018-18

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

Mayor Lowe presented a resolution in reference to the Mayor and City Manager to sign documents to acquire an easement agreement for utilities and drainage for construction of the Phenix City Retail Road Improvements project.

RESOLUTION NO. 2018-19

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, Johnson, 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 an encroachment on Riverchase Drive to RCA, LLC.

RESOLUTION NO. 2018-20

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

Mayor Lowe presented fifteen (15) resolutions in reference to awarding bids for the demolition and removal of structures located at:

- 1.) 1233 13th Avenue – Stewart Contracting - \$2,200.00

RESOLUTION NO. 2018-21

- 2.) 1904 14th Avenue – Hall Demolition - \$2,610.00

RESOLUTION NO. 2018-22

- 3.) 1208 18th Avenue – J & J Land Development, - \$1600.00

RESOLUTION NO. 2018-23

- 4.) 1706 20th Avenue – Stewart Contracting - \$2,200.00

RESOLUTION NO. 2018-24

- 5.) 1119 23rd Avenue – J & J Land Development - \$1,550.00

RESOLUTION NO. 2018-25

- 6.) 925 16th Court – J & J Land Development - \$1,200.00

RESOLUTION NO. 2018-26

7.) 2306 16th Place – J & J Land Development - \$1,400.00

RESOLUTION NO. 2018-27

8.) 2807 9th Place – J & J Land Development - \$1,500.00

RESOLUTION NO. 2018-28

9.) 1008 4th Place South – J & J Land Development - \$1,400.00

RESOLUTION NO. 2018-29

10.)1300 2nd Place South – Stewart Contracting - \$1,500.00

RESOLUTION NO. 2018-30

11.)2905 South Railroad Street – Hall Demolition - \$1,490.00

RESOLUTION NO. 2018-31

12.)1203 Knowles Road – Stewart Contracting - \$1,600.00

RESOLUTION NO. 2018-32

13.)518 6th Street – J & J Land Development - \$1,750.00

RESOLUTION NO. 2018-33

14.)1605 22nd Street – J & J Land Development - \$1,400.00

RESOLUTION NO. 2018-34

15.)3 Trafford Trail – Stewart Contracting - \$1,600.00

RESOLUTION NO. 2018-35

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

Mayor Lowe presented a resolution in reference to declaring three vehicles as surplus to be sold as scrap.

RESOLUTION NO. 2018-36

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

Mayor Lowe presented a resolution in reference to the purchase and installation of one (1) 3-ton Split System Heat Pump from C&G Heating and Air, LLC. in an amount not to exceed \$4,788.66.

RESOLUTION NO. 2018-37

Councilmember Day moved to approve said resolution, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, 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 allow Pyrotecnico Fireworks Inc. to conduct a Fire Training Seminar at the Roy Martin Center on March 3, 2018.

RESOLUTION NO. 2018-38

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

Mayor Lowe presented a resolution in reference to declaring personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to Mark Rogers in recognition of his 25 years of public service.

RESOLUTION NO. 2018-39

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

Mayor Lowe presented a resolution in reference to purchasing one 2018 Chevrolet Tahoe from Donohoo Chevrolet in the total amount of \$31,689.60.

RESOLUTION NO. 2018-40

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

Mayor Lowe presented a resolution in reference to purchasing three 2018 Ford Explorers from Stivers Ford in the total amount of \$77,904.00.

RESOLUTION NO. 2018-41

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

Mayor Lowe presented a resolution in reference to purchasing one 2018 Ford Taurus from Stivers Ford in the total amount of \$20,939.00.

RESOLUTION NO. 2018-42

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

Mayor Lowe presented a resolution in reference to declaring the Hycor Waterlink Screen as surplus to be sold as scrap.

RESOLUTION NO. 2018-43

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, Johnson, 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 five year lease contract with City National Capital Finance for a Combo Vactor Machine and International Low Boy Tractor in the amount of \$438,985.53.

RESOLUTION NO. 2018-44

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

Mayor Lowe presented a letter of request from the Planning Commission, public notice and ordinance to rezone a 7.12 acre tract of land located on 218 Wright Road, from an R-1 Zone to an A-1 Zone, Dan and Jean Phillips, owners.

LETTER OF REQUEST

PUBLIC NOTICE

ORDINANCE

Councilmember Day moved to accept the letter, approve the public notice, and 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,

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

Mayor Lowe presented a previously tabled opening on the personnel review board. Councilmember Day moved to appoint Lisa Dente, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented two openings on the Downtown Redevelopment Authority. Councilmember Gordy moved to reappoint J.W. Brannen and appoint Vickey Carter Johnson to the unexpired term of the late Johnnie C. Robinson, Jr., which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented an opening on the Phenix City-Russell County Library Board, which he recommended tabling. Councilmember Day moved to table the appointment, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented three openings on the Zoning Adjustments and Appeals Board. Councilmember Day moved to reappoint Debbie Andrews and Brooks Halford, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried. Councilmember Gordy moved to table Hoyte Gamble's resigned unexpired opening, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented an application for an Off Premise Beer License and an Off Premise Wine License submitted by Muhammad Khan for S.A.K., Inc. dba Shawn Grocery located at 3731 Opelika Road, Phenix City, Alabama. Councilmember Day moved to place the application on first reading, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented an application for an Off Premise Beer License and Off Premise Wine License submitted by America's Freedom Fuels, Inc. dba America's Freedom Fuel #3 located at 5380 Riverchase Drive, Phenix City, Alabama. Councilmember Gordy moved to suspend the rules on first reading, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried. Councilmember Johnson moved to approve the applications pending the final inspection, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the

following vote was recorded: YEAS: Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

Mayor Lowe presented three Itemized Statements of Expense from Austin Hodge in the amounts of \$14.97, \$20.00, and \$25.13, which totaled \$60.10. 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, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Attorney Jim McKoon presented a claim against the City of Phenix City, Alabama filed by Funderburk and Lane for Ashley Collins. City Attorney McKoon stated Ashley Collins, mother and custodial parent of Mercedes Manriquez, alleges the city is responsible for negligence and or wantonness of its agents occurring on or about the 18th of September 2017. The City is charged with excessive force when placing Miss. Manriquez, a juvenile, into the police car. City Attorney McKoon advised there is no basis for the claim. City Attorney McKoon recommended Council to deny the claim. Councilmember Day moved to approve the City Attorney's recommendation and 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, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion carried.

City Manager Wallace Hunter advised that Fire Chief Kris Kennedy and he would be accepting the Golden Axe Award on Thursday, February 8, 2018. The City of Phenix City Fire Department had won this award 13 times.

Mayor Lowe thanked the department heads for all their hard work. He also thanked CTV Beam for their dedication of recording the council meetings.

Councilmember Day spoke to mayor and council about how proud he is of Phenix City.

There being no further business to address, the meeting thus adjourned at 11:05 a.m. until February 21, 2018.