

**MEETING MINUTES
February 21, 2018**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Wednesday, February 21, 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 James P. Graham, Jr., City Clerk Melony Lee and Shannon Davis.

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

Reverend Marty Holley, of Russell Baptist Association came forward to deliver the invocation.

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

City Manager Wallace Hunter and HR Director Stephanie Chastain presented Certificates of Appreciation to the following employees for Years of Dedicated Service: Lashone Chambers, Mark Rogers, Andra Paige, William Allen, Anthony Hubbard, Jason Franklin, Shirley Taylor, Kathleen Lyles, Pam Jarrell, and Norman Upshaw.

Executive Director, Bridgett Monroe of the MDA program did a presentation on Muscular Dystrophy and presented the Golden Axe Award to the Phenix City Fire Department. Fire Chief Kristin Kennedy accepted the award.

Executive Director, Pat Frey of the Home for Good program of United Way and Mary Mayrose with The Phenix City Housing Authority who serves as the Chairman of Continuing Care came forward to do a presentation on the homeless in the community. They presented Sergeant Percy Hill with a Certificate of Appreciation.

Mayor Lowe presented the minutes of the February 1, 2018 State of the City 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 February 5, 2018 work session and February 6, 2018 council meeting for approval. Councilmember Gordy 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. 2018-45 to be ratified in reference to City Council approving the expenditure of \$23,714.00 for emergency repairs to the pumps at the Rock Island Sanitary Lift Station.

RESOLUTION NO. 2018-45

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 public notice setting the date for public hearing in reference to a request to vacate of a portion of 5th Avenue.

PUBLIC NOTICE

Councilmember Johnson moved to approve the public notice, 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 supporting HB256.

RESOLUTION NO. 2018-46

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 opposing HB365.

RESOLUTION NO. 2018-47

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 authorizing and directing the Mayor and City Manager to enter into a lease agreement with Renfro, Inc. to sublease a building on Highway 431 South.

RESOLUTION NO. 2018-48

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 and directing the Mayor and City Manager to enter into a Second Amendment lease agreement with Altera Development Company, LLC.

RESOLUTION NO. 2018-49

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 Constantine Engineering Services for the replacement of the Phenix City Wastewater Treatment Plant Digester No. 3 Cover in an amount not to exceed \$89,600.00.

RESOLUTION NO. 2018-50

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 accepting a proposal from Consolidated Pipe & Supply Company, Inc. for materials for the relocation of the water main on South Railroad Street in an amount not to exceed \$49,564.20.

RESOLUTION NO. 2018-51

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 2402 5th Avenue, Peter Kavanagh, Owner.

RESOLUTION NO. 2018-52

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 satisfaction of a Special Assessment on property located at 2400 31st Street, Jay D & Rosa Hammack., c/o Janis Dee Hammack Flowers, Owner.

RESOLUTION NO. 2018-53

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 and directing the Mayor and City Manager to sign a proposal from Affordable Gate and Access to expand the CDVI physical access control system to the Engineering and Public Works buildings at a one-time cost not to exceed \$15,534.85.

RESOLUTION NO. 2018-54

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 enter into an agreement with M&M Staging Master Productions, Inc. for the rental of a 4-tower motorized roof from March 16, 2018 until July 16, 2018 in an amount not to exceed \$12,500.00.

RESOLUTION NO. 2018-55

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 a contract with Charlie Bynum, Jr. for D.S.O.S. Band to perform at the Amphitheater on April 7, 2018 in an amount not to exceed \$2,000.00.

RESOLUTION NO. 2018-56

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 enter into a contract with Northstar Artists for Devon Allman Project to perform at the Amphitheater on April 24, 2018 in an amount not to exceed \$10,000.00.

RESOLUTION NO. 2018-57

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 declaring personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to Shawn Sheely in recognition of his 11 years of public service.

RESOLUTION NO. 2018-58

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 sign a lease agreement with Mail Finance.

RESOLUTION NO. 2018-59

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 letter of request from the Planning Commission, public notice and ordinance to rezone a 27.9 acre tract of land located on 6th Avenue and 16th Street, from an R-3 Zone to an C-1 Zone, The Housing Authority of Phenix City Alabama and The City of Phenix City, 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 an Application for Conditional Use approval submitted by WC Bradley Company for a Public Art Park located at the corner of Whitewater Avenue and 14th Street.

LETTER

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

Mayor Lowe presented a previously tabled opening on the Phenix City – Russell County Library Board. Councilmember Johnson nominated Gabriella Dubose for the Phenix City – Russell County Library Board. Councilmember Gordy moved to appoint Gabriella Dubose,

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 Zoning Adjustment and Appeals Board, which he recommended tabling. Councilmember Day moved to table the appointment, 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 for second reading 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 Johnson moved to approve the application, 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.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to sign a Memorandum of Understanding with Girard Partners LLP for the development of property on U.S. Highway 80.

RESOLUTION NO. 2018-60

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.

City Manager Wallace Hunter congratulated the employees of the City of Phenix City on raising over \$104,000.00 for United Way.

Mr. Hunter also congratulated Central High School and Coach Wright on going to the finals and thanked Superintendent Randy Wilkes on doing a great job.

Councilmember Gordy congratulated Central High Schools Wrestling team on competing in the State Championship and Mr. Mirales on his third year as a 7A State Champion wrestler.

Councilmember Day asked Mr. Smith to come forward and discuss the Audit for the City of Phenix City.

Councilmember Bailey asked the citizens to remember the victims of Parkland, Florida and to keep them and their families in their prayers. Councilmember Bailey also thanked the Police and Fire Department for keeping our community safe.

Mayor Lowe thanked the department heads for all their hard work. Mayor Lowe thanked everyone who supported United Way and MDA.

Mayor Lowe thanked CTV Beam for their dedication of recording the council meetings.

There being no further business to address, the meeting thus adjourned at 10:12 a.m. until March 6, 2018.