

**MEETING MINUTES
November 20, 2018**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, November 20, 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. City Manager Wallace B. Hunter was not present. Also present were, Police Chief Ray Smith, City Clerk Melony Lee, and City Attorney Jimmy Graham.

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

Reverend Ralph Wooten, with First United Methodist Church delivered the invocation.

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

Mayor Lowe presented a proclamation recognizing Arbor Day.

PROCLAMATION

Donnie Pitts with the Phenix City Tree Commission and Volunteer Donald Bice came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the November 5, 2018 Work Session and the November 6, 2018 Council Meeting for approval. 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: Councilmembers Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: Councilmembers Day and Johnson. The motion thus carried.

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

Mayor Lowe presented Resolution 2018-296 to be ratified in reference to accepting a quote from Energy Savers of Georgia in an amount not to exceed \$10,600.00 to replace the A/C unit at the Phenix City Public Safety Building.

RESOLUTION NO. 2018-296

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 thus carried.

Mayor Lowe presented Resolution 2018-297 to be ratified in reference to accepting the lowest quote from Wall Asphalt Services, Inc. in an amount not to exceed \$17,304.00 to perform repair work to a portion of Downing Drive.

RESOLUTION NO. 2018-297

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

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

RESOLUTION NO. 2018-298

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

Mayor Lowe presented a resolution in reference to rescinding Resolution 2005-216 in reference to adopting the policy for Public Records Request.

RESOLUTION NO. 2018-299

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

Mayor Lowe presented a resolution to adopting the policy for Public Records Request.

RESOLUTION NO. 2018-300

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

Mayor Lowe presented a resolution in reference to a one-time compensation for full time Employees.

RESOLUTION NO. 2018-301

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

Mayor Lowe presented a resolution in reference to a one-time compensation for retirees.

RESOLUTION NO. 2018-302

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

Mayor Lowe presented a resolution in reference to approving a 2017 Project Abatement Extension to JVL Laboratories, Inc. from December 31, 2018 to December 31, 2019.

RESOLUTION NO. 2018-303

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

Mayor Lowe presented a resolution authorizing and directing the Mayor and City Manager to apply for the State of Alabama Homeland Security Grant for Camera Surveillance and Access Control Equipment at each fire station and training center in the city.

RESOLUTION NO. 2018-304

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

Mayor Lowe presented a resolution to accepting a Five Year Lease Proposal from Bci Capital Management to finance one 2018 E-One Custom Fire Truck and one Utility International Service Truck.

RESOLUTION NO. 2018-305

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

Mayor Lowe presented a resolution to placing a moratorium for debris disposal by other government agencies and the public at the Construction and Debris Landfill owned by the city.

RESOLUTION NO. 2018-306

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

Mayor Lowe presented a resolution to accepting a proposal from Municipal Consultants, Inc. for permitting and design services for a landfill expansion in an amount not to exceed \$96,000.00.

RESOLUTION NO. 2018-307

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

Mayor Lowe presented a resolution to accepting a proposal from Highland Technical Services, Inc. for Hydrogeological Evaluation, Wetlands Survey, Threatened and Endangered Species Survey and Cultural Survey for a landfill expansion in an amount not to exceed \$48,390.00.

RESOLUTION NO. 2018-308

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

Mayor Lowe presented a resolution in reference to accepting a proposal from Caron Compactor Company for the replacement of compactor wheels/cleats in an amount not to exceed \$36,978.00.

RESOLUTION NO. 2018-309

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

Mayor Lowe presented a resolution to accepting a proposal from AECOM Technical Service, Inc. for construction engineering and inspection services for the 5th Street South Resurfacing and Improvements Project in an amount not to exceed \$222,048.00.

RESOLUTION NO. 2018-310

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

Mayor Lowe presented a resolution to declare property as surplus to be sold at auction or as scrap.

RESOLUTION NO. 2018-311

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

Mayor Lowe presented a resolution to authorizing and directing the Mayor and City Manager to enter into a contract with C & M Southern Midways for amusement rides for Christmas at Moon Lake on December 8, 2018 in an amount not to exceed \$10,000.00.

RESOLUTION NO. 2018-312

Councilmember Bailey 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: Councilmembers Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus 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 2019, referred to as the Severe Weather Preparedness Tax Holiday. Councilmember Gordy moved to 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, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented for second reading an application for a Wholesale Beer License and Wholesale Wine License submitted by Charles W. Yeates for International Wines Inc. dba International Wines and Craft Beer located at 100 Gilbert Drive, Alabaster, Alabama. 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: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented an Itemized Statement of Expense from Trever Williams of the Fire Department in the amount of \$36.28. Mayor Lowe called for a vote approving the Itemized Statement of Expense. Councilmember Gordy moved to approve the Itemized Statement of Expense, which motion was seconded by Councilmember Johnson. 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 thus carried.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, Alabama filed by Sherrie Holland. City Attorney Jimmy Graham stated on July 12, 2018, Ms. Holland was walking out to her car and stepped off the curb at 2002 45th Street. City Attorney Graham further stated there is a drop off between the pavement and gutter; as the gutter area is used to convey water off the street into the storm drainage system. City Attorney Graham stated the gutter is not used as a sidewalk and the city had no complaints about the area prior to this claim. City Attorney Graham recommended denying the claim. Councilmember Day moved to approve the City Attorney's recommendation 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: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, Alabama filed by Garrett McCoy. City Attorney Jimmy Graham stated on October 18, 2018, Mr. McCoy claims the City of Phenix City is responsible for damage to the front and back passenger's tire and rim on his 2003 Cadillac 600 while driving down Riverchase Drive. City Attorney Graham further stated Mr. McCoy stated he hit a hole in the road while getting over into the turn lane into the parking lot of Jack Hughston Hospital. City Attorney Graham stated the Engineering Department investigated and found that there is a hole/drop off on the shoulder of the road and not in the roadway. The Engineering Department further stated the department had no prior knowledge of the hole/drop off. City Attorney Graham recommended denying the claim. Councilmember Gordy moved to approve the City Attorney's recommendation 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: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Chief Ray Smith thanked Council for the approval of the resolution for the one-time compensation. Chief Smith further congratulated Fire Chief Kennedy on the approval for the State of Alabama Homeland Security Grant.

Councilmember Day asked all citizens to be safe during the Thanksgiving Holidays. Councilmember Day also thanked the citizens and everyone for their support during the passing of his daughter.

Councilmember Johnson stated how thankful she was for the opportunity to be able to attend the NLC Conference. Councilmember Johnson also congratulated the Red Devils on their victory.

Councilmember Bailey stated that everyone should show an act of kindness and love for each other and also for our military. Councilmember also stated to pray for his son as he goes into the U.S. Army.

Mayor Lowe thanked Council and informed everyone of how important it is to spend time with your family. Mayor Lowe also thanked Mr. Donnie Pitts and Mr. Donald Bice for staying through the Council Meeting. Mayor Lowe further thanked the citizens, Department Heads, and CTV-Beam for their hard work and dedication.

There being no further business to address, the meeting thus adjourned until December 4, 2018.