

**MEETING MINUTES
February 5, 2019**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, February 5, 2019 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 R. Griff Gordy, and Mayor Eddie N. Lowe. Councilmember Steve Bailey was not present. Also present were: City Manager Wallace Hunter, City Clerk Melony Lee, and City Attorney Jimmy Graham.

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

Reverend Alan Griffith with Emmanuel Baptist Church delivered the invocation.

Mayor Lowe led the pledge of allegiance to the United States Flag.

Mayor Lowe presented a proclamation Recognizing 2-1-1 Day.

PROCLAMATION

Mr. Scott Ferguson with United Way came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the January 14, 2019 work session and the January 15, 2019 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: Councilmembers Day, Johnson, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus carried.

Mayor Lowe presented the called meeting minutes of the January 17, 2019 State of the City Address for approval. Councilmember Johnson 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: Councilmembers Day, Johnson, and Mayor Lowe. NAYS: None. ABSTAIN: Councilmember Gordy. The motion thus carried.

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

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, 2019.

RESOLUTION NO. 2019-27

Councilmember Gordy moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into a donation lease agreement with the American Red Cross for the use of property located at 1208 8th Avenue for a period of 24 months.

RESOLUTION NO. 2019-28

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

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into a contract with the East Alabama Chamber of Commerce in an amount not to exceed \$35,000.00.

RESOLUTION NO. 2019-29

Councilmember Day moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus 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. 2019-30

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

Mayor Lowe presented a resolution in reference to accepting the audited financial statement as presented by Robinson, Grimes and Company, P.C. for the fiscal year ended September 30, 2017.

RESOLUTION NO. 2019-31

Councilmember Gordy moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to enter into a Right of Way acquisition agreement with Larry & Loretta Wood, Owners.

RESOLUTION NO. 2019-32

Councilmember Day moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to filing a Petition to Condemn for Tract No. 3 in the Right-of-Way Acquisition for the Opelika Road Bridge Replacement.

RESOLUTION NO. 2019-33

Councilmember Day moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to sign Change Order Number 1 with Herrington Paint Company in the amount of \$4,760.00 to repair and paint additional 2,720 square foot where a/c units were replaced at the Central Activities Center.

RESOLUTION NO. 2019-34

Councilmember Gordy moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into a contract agreement with Bone Hardwood Flooring, LLC to repair and refinish the wood floors at the Central Activities Center in an amount not to exceed \$18,987.50.

RESOLUTION NO. 2019-35

Councilmember Day moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to rejecting all bids received for the demolition of a structure located at 1001 4th Street South.

RESOLUTION NO. 2019-36

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

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to renew the bid with Robinson Paving for Hot Mix Asphalt Paving and Roadway Improvements, Bid Number E17-01.

RESOLUTION NO. 2019-37

Councilmember Gordy moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to renew the bid with Hot Asphalt Paving Bid Number E17-02.

RESOLUTION NO. 2019-38

Councilmember Day moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to declaring items of personal property as surplus to be sold as scrap.

RESOLUTION NO. 2019-39

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

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into an agreement with U.S. Kids Golf Foundation to host a kid's golf tournament at Lakewood Golf Course on March 16, 2019.

RESOLUTION NO. 2019-40

Councilmember Gordy moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to enter into an agreement with Babe Ruth League, Inc. for the 2019 Cal Ripken 10 Year Old World Series baseball tournament in an amount not to exceed \$50,000.00.

RESOLUTION NO. 2019-41

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

Mayor Lowe presented a resolution in reference to declaring a 2016 Ford Explorer as surplus to be disposed of to ALFA Insurance Company for Insurance value.

RESOLUTION NO. 2019-42

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

Mayor Lowe presented a resolution in reference to declaring a 2008 Crown Victoria as surplus to be disposed of to ALFA Insurance Company for Insurance value.

RESOLUTION NO. 2019-43

Councilmember Day moved to approve the 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe next declared that now was the time and place for a public hearing regarding the rezoning of 11.7 acres of land located at 21st Court, 21st Avenue, and 20th Avenue, to a R-3 Zone, The City of Phenix City Public Building Authority, owner. Anyone wishing to address council regarding this matter should come forward now. Neither hearing nor seeing anyone come forward to address council, Mayor Lowe declared the public hearing closed.

Mayor Lowe presented for second reading an ordinance to rezone 11.7 acres of land located at 21st Court, 21st Avenue, and 20th Avenue, to a R-3 Zone, The City of Phenix City Public Building Authority, owner.

ORDINANCE NO. 2019-01

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

Mayor Lowe presented for first reading an ordinance to Amend Section 4.06 of the Merit System Rules and Regulations of The City of Phenix City, Alabama. Councilmember Gordy moved to place the ordinance on first reading, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented for first reading an ordinance to Amend Section 9.01 of the Merit System Rules and Regulations of The City of Phenix City, Alabama. Councilmember Day moved to place the ordinance on first reading, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented three openings on the Zoning Adjustment and Appeals Board. Mayor Lowe called for nominations for the opening of Gloria Hughes. Councilmember Johnson nominated Steve Jourdan. There were no other nominations. Mayor Lowe called for a motion. Councilmember Day moved to appoint Steve Jourdan to the unexpired term of Gloria Hughes, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, 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 Charles T. McRae. City Attorney Graham stated that the claim alleges that the City of Phenix City is responsible for damage to two tires on the right side of a 2008 MERZ C3000. City Attorney Graham further stated that the claimant stated he had to pull off the road to receive a phone call and felt a hit on the right side of his vehicle. City Attorney Graham also stated that the Engineering Department investigated and found that the city is not responsible for the damage because this is a State Highway. City Attorney Graham advised that the claimant should file a claim with the Alabama Department of Transportation. City Attorney Graham recommended denying the claim. City Attorney Graham advised he would contact Mr. McRae and explain he needs to contact the Alabama Department of Transportation. 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe stated there were two other appointments on the Zoning Adjustment and Appeals Board that needed to be addressed. Mayor Lowe presented two openings on the Zoning Adjustment and Appeals Board. Mayor Lowe called for a motion to reappoint Roderick Howard and Ralph Morris. Councilmember Gordy moved to reappoint Roderick Howard and Ralph Morris, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Johnson, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus carried.

City Manager Wallace Hunter thanked everyone for their support, thoughts, and prayers during the passing of his mother.

Mayor Lowe thanked the Department Heads and CTV-Beam for their hard work and dedication.

There being no further business to address, the meeting thus adjourned until February 20, 2019.