

MEETING MINUTES
April 16, 2019

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, April 16, 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 Steve Bailey, Councilmember R. Griff Gordy, and Mayor Eddie N. Lowe. 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, Emmanuel Baptist Church delivered the invocation.

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

Mayor Lowe presented a proclamation Recognizing Donate Life Month.

PROCLAMATION

Kim Garner, Cornea Recipient, was not present to accept the proclamation.¹

Mayor Lowe presented the regularly scheduled meeting minutes of the April 1, 2019 work session and the regularly scheduled meeting minutes of the April 2, 2019 City 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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

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

Mayor Lowe presented a resolution in reference to authorizing the purchase of insurance contracts from the Flowers Insurance Agency through the Hartford & Hudson Insurance Companies.

RESOLUTION NO. 2019-101

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to entering into a Mutual Aid Agreement for required support or services during an emergency or disaster.

RESOLUTION NO. 2019-102

¹ Kim Garner, Cornea Recipient received Proclamation after meeting had adjourned.

Councilmember Gordy moved to approve the 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 passed.

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 Billy Norris.

RESOLUTION NO. 2019-103

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to enter into an agreement for the replacement of the Opelika Road Bridge and the relocation of a portion of Mill Creek Trunk Sanitary Sewer with Billy Norris, owner.

RESOLUTION NO. 2019-104

Councilmember Gordy moved to approve the 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 passed.

Mayor Lowe presented a resolution in reference to awarding a bid to Foley Products Company for Reinforced Concrete Pipe.

RESOLUTION NO. 2019-105

Councilmember Day moved to approve the 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 passed.

Mayor Lowe presented a resolution in reference to declaring office items as surplus to be disposed of or destroyed at the City Landfill.

RESOLUTION NO. 2019-106

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to authorizing the Mayor and City Manager to sign a lease agreement with Mail Finance for a DS-6KPS Pressure Sealer for a monthly fee of \$205.98.

RESOLUTION NO. 2019-107

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to rejecting bids received for uniforms from All American Uniforms.

RESOLUTION NO. 2019-108

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

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 Mikel Wilborn in recognition of his 26 years and 7 months of public service.

RESOLUTION NO. 2019-109

Councilmember Gordy moved to approve the 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 passed.

Mayor Lowe presented a resolution in reference to declaring one 2014 Dodge Charger as surplus to be sold to the highest bidder at a public auction or sold as scrap.

RESOLUTION NO. 2019-110

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to declaring vehicles and old and worn out equipment as surplus to be sold at auction or as scrap.

RESOLUTION NO. 2019-111

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe next declared that now was the time and place for a public hearing regarding annexing 58.00 acres of land lying in Section 18, Township 16 North, Range 30 East, Russell County, Alabama, into an M-2 Zone located at 44 Landfill Road, City of Phenix City, 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 annex 58.00 acres of land lying in Section 18, Township 16 North, Range 30 East, Russell County, Alabama, into an M-2 Zone located at 44 Landfill Road, City of Phenix City, owner.

ORDINANCE NO. 2019-07

Councilmember Gordy moved to approve the ordinance, 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 passed.

Mayor Lowe next declared that now was the time and place for a public hearing regarding adopting the 2018 International Building Code. 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 adopt the 2018 International Building Code.

ORDINANCE NO. 2019-08

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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for second reading an ordinance to exempt certain items from the Municipal Sales and Use Tax during the third full weekend of July, 2019, referred to as the "Back-To-School" State Sales Tax Holiday.

ORDINANCE NO. 2019-09

Councilmember Bailey moved to approve the ordinance, 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 passed.

Mayor Lowe presented for second reading an application for an Off Premise Beer License and an Off Premise Wine License submitted by Rakesh Patel for JayBajrang, Inc. dba Discount Corner located at 3881 US Highway 431 South, Phenix City, Alabama. Councilmember Johnson moved to approve the applications, 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 passed.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, Alabama filed by Laura Horton, who lives at 4605 22nd Avenue, Phenix City, Alabama. City Attorney Jimmy Graham stated that the claim alleges that on February 12, 2019, during a thunder storm,

a tree from the City property at Lakewood Golf Course fell on Ms. Horton's property causing damage to her fence. City Attorney Jimmy Graham recommended denying the claim due to no evidence of the tree being dead or diseased and is considered to be an Act of God by Alabama Law. 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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Johnson. The motion thus passed.

City Manager Wallace Hunter thanked the Department Heads for their hard work and dedication for servicing the citizens of Phenix City, Alabama.

Councilmember Bailey wished the citizens and council a Happy and Safe Easter. Councilmember Bailey asked for continued prayers for the citizens that were involved in or affected by storms.

Councilmember Day stated that he attended an Easter egg hunt over the weekend that had over 800 people in attendance. The event was sponsored by Generation Charge South Griffin Lodge No. 697 and Rising Star Chapter No. 847 Prince Hall affiliation. Councilmember Day also stated that this will be an annual event for the community.

Mayor Lowe encouraged everyone to be compassionate towards each other and remember what is important this time of year.

Mayor Lowe thanked the Department Heads and the citizens. Mayor Lowe stated that we have one of the best cities around.

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

There being no further business to address, the meeting thus adjourned until May 8, 2019.