

MEETING MINUTES Approved as Presented to Council 9/17/19
September 4, 2019

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Wednesday, September 4, 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 Johnny Ellison of Golden Acres Baptist Church delivered the invocation.

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

Mayor Lowe presented a proclamation recognizing Help the Hooch Days.

PROCLAMATION

Curtis Vaughn and John Brint with Keep Columbus Beautiful came forward to accept the proclamation.

Mayor Lowe presented a proclamation recognizing Family Day and Family Week.

PROCLAMATION

Kenneth Paschal, Family Day Event Coordinator, came forward to accept the proclamation.

Mayor Lowe presented a proclamation recognizing Attendance Awareness Month.

PROCLAMATION

Mr. Ken Davis, Florence Bellamy, Justin Clark and Jasponica Florence came forward to accept the proclamation.

Mayor Lowe presented the minutes of the August 8, 2019 Budget Hearing 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. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the August 19, 2019 work session and the August 20, 2019 council meeting minutes 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 Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

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

Mayor Lowe presented Resolution No. 2019-228 to be ratified in reference to authorizing and directing the Mayor and City Manager to make application for grant assistance to ALDOT through the Alabama Transportation Rehabilitation and Improvement Program – II (ATRIP-II) in the amount of \$1,195,050.00 for the U.S. Hwy 280 Street Lighting Improvements Project.

RESOLUTION NO. 2019-228

Councilmember Day moved to ratify 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 declared that now was the time and place for a public hearing in reference to making application to the Bureau of Justice for a Justice Assistance Grant (JAG) for purchasing equipment for the Police Department. Mayor Lowe stated anyone wishing to address council should come forward and do so at this time. Neither hearing nor seeing anyone come forward, Mayor Lowe declared the hearing closed.

Mayor Lowe presented a resolution in reference to making application to the Bureau of Justice for a Justice Assistance Grant (JAG) for purchasing equipment for the Police Department.

RESOLUTION NO. 2019-229

Councilmember Johnson 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 releasing a lien placed on property located at 1605 Opelika Road due to incorrect parcel number 05-05-15-1-103-056.000#0.

RESOLUTION NO. 2019-230

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 rescinding Resolution No. 2019-50.

RESOLUTION NO. 2019-231

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 placing the fixing of costs incurred by the City of Phenix City for removal of substandard structures and the establishment of special assessments upon property located at 1605 Opelika Road.

RESOLUTION NO. 2019-232

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 the purchase of a Foley Accu-Master 653-AC Reel Grinder from Jerry Pate Turf & Irrigation in an amount not to exceed \$49,105.70.

RESOLUTION NO. 2019-233

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 amending the Phenix City Parks and Recreation Fee Schedule to include, Lakewood Golf Course.

RESOLUTION NO. 2019-234

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: Councilmember Bailey. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor, City Manager, and Chief of Police to enter into an agreement for the administration of grant funds through the SEARHSO-ESCC-Community Traffic Safety Program from October 1, 2019 through September 30, 2020.

RESOLUTION NO. 2019-235

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

Mayor Lowe presented two (2) openings on the Personnel Review Board. Mayor Lowe called for nominations. Councilmember Day nominated to reappoint Johnny Rutledge. There were no other nominations. Mayor Lowe called for a motion. Councilmember Gordy moved to reappoint Johnny Rutledge, 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 called for another nomination. Councilmember Gordy

nominated to reappoint Terry Baker. There were no other nominations. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Terry Baker, 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 one opening on the Phenix City Planning Commission Board. Mayor Lowe called for nominations. Councilmember Johnson nominated to reappoint Sierra McKissic. There were no other nominations. Mayor Lowe called for a motion. Councilmember Gordy moved to reappoint Sierra McKissic, 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 an Itemized Statement of Expense from Ben Cochran (Fire Department) in the amount of \$21.68. Mayor Lowe called for a vote approving the Itemized Statement of Expense. Councilmember Day moved to approve the Itemized Statement of Expense, 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.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Ms. Jean E. Foster. City Attorney Jimmy Graham stated that the claim alleges that on July 15, 2019 Ms. Foster noticed her fence located in her front yard on Highway 431 South, had been damaged by a fallen tree from the city's property adjacent to her property. City Attorney Jimmy Graham recommended denying the claim due to no evidence of the tree being dead or diseased and this is considered to be an Act of God by Alabama Law. 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, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: Councilmember Johnson. The motion thus passed.

City Manager Wallace Hunter asked everyone to pray for the family Mr. Cecil McLemore, a former Councilmember, who recently passed away. City Manager Hunter stated that Mr. McLemore served three separate terms as a Phenix City Councilmember 1983-1986, 1995-1998 and 1998-2000. City Manager Hunter also stated that Mr. McLemore did not complete the last term because he ran for and won a seat with the Russell County Commissioners Office.

City Manager Wallace Hunter asked everyone to pray for the victims of Hurricane Dorrian including City Attorney Jimmy Graham's sister in North Carolina.

City Manager Wallace Hunter thanked all the Department Heads for their hard work and dedication.

Councilmember Day encouraged the citizens of Phenix City to have pride in our City help keep our City safe and clean by not throwing trash along the streets and highways.

Councilmember Johnson stated that she was made aware of a business that property owners could gain revenue by listing on Airbnb for Bed and Breakfast Hotel Services or Temporary short term rental housing. Councilmember Johnson also stated that there is a need for the business here in Phenix City but in the right zoning area with the proper business

license. Councilmember Johnson encouraged anyone who is thinking about an Airbnb business to please stop by the City clerk's office to obtain a copy of the zoning ordinance.

City Manager Wallace Hunter stated that Bed and Breakfast Rental Properties are allowed in the City but must be in the proper zoning area with the proper lodging business license. City Manager Hunter also stated that the city welcomes new businesses but things must be done in order with the proper licenses.

Mayor Lowe stated that the City must be consistent across the board in upholding the law. Mayor Lowe also state that citizens that would like to conduct business in the city should speak with the city first.

Councilmember Bailey asked everyone to keep the McLemore family in their prayers. Councilmember Bailey stated that Cecil McLemore did a lot for this city while in office.

Mayor Lowe thanked the Citizens and the Department Heads for providing services for the citizens of Phenix City, Alabama.

There being no further business to address, the meeting thus adjourned until September 17, 2019.