

**MEETING MINUTES  
February 4, 2020**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, February 4, 2020 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 of Emmanuel Baptist Church delivered the invocation.

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

City Manager Wallace Hunter and Human Resources Director Stephanie Chastain presented employee service recognitions to Kenneth Taylor - 5 years, Lisa Smith - 5 years, Matthew Lenoir – 10 years, James Mills – 15 years, Heather Lancour – 10 years, Kilpatrick Thomas – 10 years, Joseph Weierick - 10 years, Richard Scales – 10 years, and Bobby Brooks - 30 years.

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

**PROCLAMATION**

Candace Poole, United Way Coordinator, and Jennifer St. John, Vice President of Community Initiative, came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the January 21, 2020 work session and the January 22, 2020 council meeting minutes 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 stated there was no unfinished business to address at this time.

Mayor Lowe presented Resolution No. 2020-22 to be ratified in reference to an emergency purchase and installation of a pump at the Phenix City Water Filtration Plant from Southern Rewinding Industrial Sales and Services in an amount not to exceed \$57,416.50.

**RESOLUTION NO. 2020-22**

Councilmember Gordy 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 presented Resolution No. 2020-23 to be ratified in reference to authorizing the Mayor and City Manager to enter into a 36-month service agreement with Windstream for existing telecommunication services.

#### **RESOLUTION NO. 2020-23**

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: 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 enter into a contract agreement with the East Alabama Chamber of Commerce in an amount not to exceed \$35,000.00.

#### **RESOLUTION**

Councilmember Day moved to table 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 authorizing the Mayor and City Manager to enter into an agreement with ALDOT for modification and equipment upgrade for roadway lighting along U.S. Highway 280.

#### **RESOLUTION NO. 2020-24**

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 authorizing the Mayor, City Manager, and Chief of Police to enter into a MOU agreement with the Metro Narcotics and Gang Task Force.

#### **RESOLUTION NO. 2020-25**

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 a resolution in reference to accepting a 20 foot easement for Lot 8, Section One, Oakleaf Subdivision, Charles H. Adams, property owner.

#### **RESOLUTION NO. 2020-26**

Councilmember Bailey 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 enter into an agreement with Sain Associates, Inc. to provide design services in order to develop a pavement evaluation and maintenance plan in an amount not to exceed \$106,100.00.

**RESOLUTION NO. 2020-27**

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 contract with Constantine Engineering, Inc. for Task Order 22 to provide professional engineering and technical services in an amount not to exceed \$73,450.00.

**RESOLUTION NO. 2020-28**

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 authorizing the Mayor and City Manager to sign IRS Tax Form 8283 for acceptance of a land donation.

**RESOLUTION NO. 2020-29**

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 five (5) resolutions in reference to authorizing and directing the Mayor and City Manager to take all actions necessary to acquire the following properties from the State of Alabama in an amount not to exceed \$100.00 per property.

1. 102 South Seale Road, Parcel # 57-05-05-22-4-022-029.000

**RESOLUTION NO. 2020-30**

2. 112 South Seale Road, Parcel # 57-05-05-22-4-022-026.000

**RESOLUTION NO. 2020-31**

3. 1106 14<sup>th</sup> Avenue, Parcel # 57-05-05-15-1-103-086.000

**RESOLUTION NO. 2020-32**

4. 1108 14<sup>th</sup> Avenue, Parcel # 57-05-05-15-1-103-087.000

**RESOLUTION NO. 2020-33**

5. 1110 14<sup>th</sup> Avenue, Parcel # 57-05-05-15-1-103-085.000

**RESOLUTION NO. 2020-34**

Councilmember Day moved to approve the resolutions, 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 declared that now was the time and place for a public hearing in reference to the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of a special assessment upon the properties located at: 227 Seale Road and 519 6<sup>th</sup> Street. Mayor Lowe stated anyone wishing to address council on any of the properties 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 two (2) resolutions in reference to the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon properties located at:

1. 227 Seale Road

**RESOLUTION NO. 2020-35**

2. 519 6<sup>th</sup> Street

**RESOLUTION NO. 2020-36**

Councilmember Day moved to approve the resolutions, 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 the Mayor and City Manager to sign an agreement with SpyGlass Group, LLC to analyze the City's telecommunication accounts.

**RESOLUTION NO. 2020-37**

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 office items as surplus to be sold as scrap or disposed of at the City Landfill.

**RESOLUTION NO. 2020-38**

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 the Mayor and City Manager to enter into an agreement with Greenswalt Hospitality, LLC dba B&B Beverage Management for beverage and bartending staff management at the Phenix City Amphitheater for 2020 through 2021.

**RESOLUTION NO. 2020-39**

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 authorizing the Mayor and City Manager to enter into an agreement with M&M Staging Master Productions, Inc. for stage roofing at the Phenix City Amphitheater on April 3, 2020 through July 4, 2020 in an amount not to exceed \$11,750.00. (Budgeted Item).

**RESOLUTION NO. 2020-40**

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 the Mayor and City Manager to enter into an agreement with M&M Staging Master Productions, Inc. for staging at the Phenix City Art Park on April 16, 2020 through June 6, 2020 in an amount not to exceed \$8,750.00. (Budgeted Item)

**RESOLUTION NO. 2020-41**

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, 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 enter into a contract with Red 11 Music for Charley Crockett to perform at the Phenix City Amphitheater on April 24, 2020 in an amount not to exceed \$10,000.00. (Budgeted Item)

**RESOLUTION NO. 2020-42**

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 the Mayor and City Manager to enter into an agreement with Kingsized Entertainment, LLC for Puddles Pity Party to perform at the Phenix City Amphitheater on May 8, 2020 in an amount not to exceed \$8,000.00. (Budgeted Item)

#### **RESOLUTION NO. 2020-43**

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 enter into a contract with Red 11 Music for Mike and the Moonpies to perform at the Phenix City Art Park on May 16, 2020 in an amount not to exceed \$5,000.00. (Budgeted Item)

#### **RESOLUTION NO. 2020-44**

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 the purchase of four (4) 2020 Chevrolet Tahoes from Donohoo Chevrolet in a total amount not to exceed \$129,180.00. (Budgeted Items)

#### **RESOLUTION NO. 2020-45**

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 two (2) 2020 Chevrolet Tahoes from Donohoo Chevrolet in a total amount not to exceed \$63,418.32. (Budgeted Items).

#### **RESOLUTION NO. 2020-46**

Councilmember Bailey 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 the purchase of one 2020 Chevrolet Suburban from Donohoo Chevrolet in an amount not to exceed \$41,410.40. (Budgeted Item).

**RESOLUTION NO. 2020-47**

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 declaring four (4) vehicles surplus to be sold to the highest bidder at public auction or sold as scrap if no one purchases them.

**RESOLUTION NO. 2020-48**

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 items surplus to be disposed of or destroyed at the City Landfill.

**RESOLUTION NO. 2020-49**

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 accepting a proposal from Thompson Power Systems for Preventative Maintenance Services for the Fire Department emergency generators in an amount not to exceed \$1,858.00.

**RESOLUTION NO. 2020-50**

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 for first reading an Ordinance to Amend the Code of Ordinances of the City of Phenix City, Alabama, Chapter 70 – Solid Waste, Section 70-29 – Unlawful Deposits of Garbage and Trash, Adding Section (D) – Placement. 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: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed

Mayor Lowe presented two (2) openings on the Downtown Redevelopment Authority. Councilmember Day moved to table the appointments, 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 ten (10) openings on the Census Complete Count Committee. Councilmember Johnson moved to table the appointments, 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 two (2) openings on the Zoning Adjustment and Appeals Board. Councilmember Gordy moved to table the appointments, 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.

City Attorney Jimmy Graham presented a tabled claim against the City of Phenix City, Alabama filed by Mr. Curtis Bishop. City Attorney Jimmy Graham stated that the claim alleges that on December 1, 2019, a sanitary sewer stoppage caused property damage to Shiloh Baptist Church. City Attorney Graham asked Council to allow the City Manager Wallace Hunter, Utilities Director Steve Smith, and himself to negotiate a settlement. Councilmember Gordy moved to approve the City Attorney's recommendation to allow the City Manager Wallace Hunter, Utilities Director Steve Smith, and City Attorney Jimmy Graham to negotiate a settlement, 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 Shiloh Baptist Church. City Attorney Jimmy Graham stated that the carpet damage was left off the first claim submitted by Mr. Curtis Bishop on behalf of Shiloh Baptist Church. City Attorney Graham asked Council to allow the City Manager Wallace Hunter, Utilities Director Steve Smith, and himself to negotiate a settlement. Councilmember Gordy moved to approve the City Attorney's recommendation to allow the City Manager Wallace Hunter, Utilities Director Steve Smith, and City Attorney Jimmy Graham to negotiate a settlement, 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 Ms. Tynesha Biggers. City Attorney Jimmy Graham stated that on October 12, 2019 a Phenix City Police vehicle collided with Ms. Biggers' vehicle and caused damage. City Attorney Graham recommended paying the claim in the lowest estimate of \$666.63. Councilmember Johnson moved to approve the City Attorney's recommendation to approve the claim in the lowest estimate of \$666.63, 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.

Steve Smith, Utilities Director, stated that the Finance Department was able to refinance a great portion of the City's Debt Service Cost. Mr. Smith also stated that the savings amount for tax payers will be \$4,330,376.81 over the next fifteen years and the net present day value is



\$3,764,272.44. Mr. Smith further stated that the City's Credit Rating was reaffirmed at a double A minus rating. Mr. Smith stated that it is the same rating as the State of Alabama. Mr. Smith also stated that the City is in a solid financial position despite rumors that are circulating.

Councilmember Day thanked the State Representatives, local elected officials, citizens and all that attended his Annual Elected Official Luncheon on January 30, 2020. Councilmember Day stated that the representative from Ft. Benning, Colonel Matthew Scalia, did an excellent job as the speaker.

Councilmember Johnson stated that with the full Agenda, it shows that City Council is continuously looking at different ways and practices of doing business more efficiently in Phenix City.

Councilmember Johnson congratulated the employees that were recognized for over five years of service. Councilmember Johnson thanked the employees for their hard work and dedication to the City. Councilmember Johnson also thanked Stephanie Chastain, Human Resources Director, for the outstanding job she does of keeping up with the years served. Councilmember Johnson stated that this is the best City to work for.

Councilmember Johnson stated that February brings great things that we all can be proud of. Councilmember Johnson also stated that 2-1-1 Day was acknowledged today for the month of February and also the third Monday in February is in the observance of past and present Presidents that have served the United States of America. Councilmember Johnson further stated that February is designated as Black History Month. Councilmember Johnson stated that now is the time to reflect and be thankful for significant contributions made by African Americans to the United States. Councilmember Johnson also stated that the Phenix City Russell County Library and local book stores are an excellent source for more information on Black History. Councilmember Johnson further stated that the 35<sup>th</sup> Annual Black History Observance Breakfast will be held February 17, 2020 in our neighboring city, Columbus, Georgia. Councilmember Johnson stated that the City Council stands united when it comes to promoting unity in our City.

Councilmember Johnson thanked the citizens of Phenix City for residing in our City. Councilmember Johnson further stated that the City is growing in the right direction.

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

There being no further business to address, the meeting thus adjourned until February 19, 2020.