

MEETING MINUTES
March 17, 2020

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, March 17, 2020 at 6:00 p.m. at the Martin-Idle Hour Park Community Center located at 3743 Moon Lake Drive, 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 and City Clerk Melony Lee. City Attorney Jimmy Graham was present by the way of conference call and live stream via City's Website.

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

Reverend Dr. Clementine Warren of Hurts Chapel A.M.E. Church was not present to deliver the invocation. Mayor Lowe delivered the invocation.

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

Mayor Lowe presented the regularly scheduled meeting minutes of the March 2, 2020 Work Session for approval. Councilmember Day 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, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Gordy. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the March 3, 2020 Council Meeting for approval. Councilmember Johnson 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. 2020-92 to be ratified in reference to approving the final settlement in accordance with the terms of the Pro Tanto Release in the matter of a lawsuit filed by Whittelsey, Whittelsey, Poole and Corley, P.C. on behalf of Sidni V. Carter in the amount of \$25,000.00.

RESOLUTION NO. 2020-92

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 approving the final settlement in the matter of a claim filed by Morgan and Morgan on behalf of Jamillieon Edmonds, by and through next of kin, Shuntavis Edmonds, in the amount of \$5,000.00.

RESOLUTION NO. 2020-93

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 approving the final settlement in the matter of a claim filed by Morgan and Morgan on behalf of Jamyrio Edmonds, by and through next of kin, Shuntavis Edmonds, in the amount of \$5,000.00.

RESOLUTION NO. 2020-94

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 approving the final settlement in the matter of a claim filed by Morgan and Morgan on behalf of Shuntavis Edmonds in the amount of \$8,000.00.

RESOLUTION NO. 2020-95

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 requesting the Alabama Department of Transportation to perform a study to reduce the speed along the section of U.S. Highway 431 from the 280/431 Interchange to Downing Drive.

RESOLUTION NO. 2020-96

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 awarding a bid to Robinson Paving Company for Hot Mix Asphalt Paving and Roadway Improvements.

RESOLUTION NO. 2020-97

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, 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 special assessments upon properties located at: 711 24th Avenue, 221 Seale Road, and 1009 4th Street South. Mayor Lowe stated anyone wishing to address council on any of the properties should come forward and do so at this time. Mayor Lowe also stated that the phone lines were open for anyone wishing to address council on any of the properties. Mayor Lowe further stated that you could dial (334) 448-2711 and speak with council. Neither hearing nor seeing anyone come forward, either by phone or in person, Mayor Lowe declared the hearing closed.

Mayor Lowe presented three (3) 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. 711 24th Avenue

RESOLUTION NO. 2020-98

2. 221 Seale Road

RESOLUTION NO. 2020-99

3. 1009 4th Street South

RESOLUTION NO. 2020-100

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 presented a resolution in reference to declaring one Traffic Control Cabinet as surplus to be sold as scrap or disposed of at the City Landfill.

RESOLUTION NO. 2020-101

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 authorizing the Mayor and City Manager to enter into an agreement with Paradigm Talent Agency, LLC for Moe. Touring, Inc. to perform at the Phenix City Amphitheater on June 25, 2020.

RESOLUTION NO. 2020-102

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 various personal items as surplus to be sold as scrap or destroyed at the City Landfill.

RESOLUTION NO. 2020-103

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 one opening on the Downtown Redevelopment Authority. Councilmember Day moved to table the appointment, 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 application for a Bonding Company License submitted by Moses Harper for Authority Bail Bonds, Inc. located at 123 Lee Street, Montgomery, AL 36104. Councilmember Bailey moved to approve the application, 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 claim against the City of Phenix City, filed by Mr. Charles E. Turnage. City Attorney Jimmy Graham stated that the claim alleges that on January 11, 2020 a tree branch from the City's property fell on his property on Delbrock Drive and damaged the windshield of his vehicle. 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 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 Manager Wallace Hunter stated that he would like to take this opportunity to address the citizens' concerns about the Coronavirus Outbreak. Mr. Hunter also stated that several announcements have been released to the media to keep the citizens informed and up to date on the closing of specific departments within the City for the safety of City employees and citizens. Mr. Hunter further stated that the City's Library, Central Activities Center and Phenix City School System are all closed. Mr. Hunter stated that the City is following the guidelines set by the State of Alabama. Mr. Hunter asked everyone to have patience in the days ahead. Mr. Hunter stated that there are some departments within the city that may close or operate on a skeleton crew for the safety of our employees and their families. Mr. Hunter also stated that there are a few departments within the city that will not close, including the Fire Department, Police Department and Public Safety, Inspection Department and the Waste Water Treatment Plant. Mr. Hunter asked everyone to look out for each other especially our children, elderly and love ones in nursing homes. Mr. Hunter stated that he wants everyone to be safe and take the necessary precautions during this time.

Councilmember Johnson stated that we are living in uncertain times and there are a lot of changes going on because of the Coronavirus Outbreak. Councilmember Johnson encouraged everyone to take the outbreak seriously by taking all the precautionary measures as stated by City Manager Wallace Hunter.

Councilmember Johnson stated that there have been a few incidences where trees have fallen and damaged property. Councilmember Johnson also stated that heavy amounts of rain may have an impact on the soil and a trees root system which may cause it to fall. Councilmember Johnson further stated that the property owner, whether it be private or the City, should be notified if a tree appears to be dead, damaged, diseased or leaning. Councilmember Johnson stated that awareness will help avoid future issues.

Councilmember Johnson thanked Officer Michael Cervantes and other concerned citizens for road side assistance to help her and her daughter with a flat tire. Councilmember Johnson stated that the Officer was not aware that she was on the City Council and it shows the dedication the Police Department has to the Citizens. Councilmember Johnson also stated that we have one of the best cities around and she is proud to represent Phenix City.

Councilmember Bailey thanked all the Department Heads and City employees for doing everything that they can do to help keep us safe and informed. Councilmember Bailey stated that the entire community needs to pull together, take the necessary precautions, and avoid big crowds. Councilmember Bailey encouraged everyone to have patience during this process because no one knows how long the outbreak will last and what damage could possibly be done. Councilmember Bailey asked that everyone remember to pray, be mindful of each other, check on the elderly, and people with respiratory problems and be safe.

Councilmember Day stated that he totally agrees with everything that was said by City Manager Wallace Hunter, Councilmembers Johnson and Bailey. Councilmember Day also stated that this virus is something that we have never seen before and should not be taken lightly. Councilmember Day thanked City Manager Wallace Hunter and all the City employees for how they are handling this situation and looking out for the citizens of Phenix City.

Mayor Lowe stated that the Council has been speaking for years on how we need each other. Mayor Lowe also stated that when times get tough, this is when we give the most of ourselves and true leaders step up for the cause. Mayor Lowe further stated in times like these, it shows the awesomeness and favor of God. Mayor Lowe stated that we must stand united in prayer for this City and this Country.

Angel Moore, City Engineer, stated that the plans to close Opelika Road Bridge and the Cutrate Road Bridge as for right now, will continue as scheduled for Monday March 23, 2020. Ms. Moore encouraged everyone in that area to go ahead and become familiar with the detour route. Ms. Moore stated that the roads will be closed to through traffic and it may take longer to get where you want to go, so please take that into consideration.

Angel Moore, City Engineer, stated that the contractors are trying to finish up the work on 5th Street South. Ms. Moore asked that everyone in that area have patience as only one lane may be open at a time. Ms. Moore stated that the weather has affected the process.

Mayor Lowe stated that the common denominator in all things that are happening in this City and the progress it has made is patience. Mayor Lowe also stated that the challenge upon us is to step up. Mayor Lowe also stated that City Manager Wallace Hunter will make the best decisions in closing certain departments.

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

Mayor Lowe thanked the Citizens for their understanding as we go through this together.

There being no further business to address, the meeting thus adjourned until April 7, 2020.