

**MEETING MINUTES  
July 7, 2020**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, July 7, 2020 at 9:00 a.m. by the way of Zoom Video Conferencing. 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 by the way of Zoom Video Conferencing. Also present were: City Manager Wallace Hunter, City Clerk Office Manager Shannon Davis, and City Attorney Jimmy Graham by the way of Zoom Video Conferencing. City Clerk Melony Lee was not present.

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

Reverend Alan Griffith, Emmanuel Baptist Church delivered the invocation by Zoom Video Conferencing.

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

Mayor Lowe stated that City Clerk Melony Lee is not present for the City Council meeting. Mayor Lowe asked for a motion to appoint Shannon Davis as Acting City Clerk. Councilmember Gordy moved to appoint Shannon Davis as Acting City Clerk, 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. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the June 15, 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the June 16, 2020 Council Meeting for approval. Councilmember Johnson 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 meeting minutes of the June 23, 2020 Budget Work Session and June 24, 2020 Budget Work Session 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. 2020-166 to be ratified in reference to authorizing the Mayor and City Manager to enter into an agreement with the State of Alabama (acting by and through ALDOT) to make improvements along 14<sup>th</sup> Street between 5<sup>th</sup> Avenue and Broad Street (Project No. TAPPC-TA17) (919).

**RESOLUTION NO. 2020-166**

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 and Public Notice in reference to a public hearing for the proposed 2020-2021 Fiscal Year Proposed Budget.

**RESOLUTION NO. 2020-167**  
**PUBLIC NOTICE**

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. Councilmember Day moved to approve the public notice, 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 final settlement in the matter of Stacie S. Cook, Frank Cook, and W.R.C., a minor, by and through his parents and next friends, Stacie S. Cook and Frank Cook verses the City of Phenix City Civil Action No. CV-18-900082 in the amount of \$15,000.00.

**RESOLUTION NO. 2020-168**

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 takeover of monthly payments to Alabama Power Company for five (5) LED area streetlight fixtures located on Crosswinds Drive off Highway 431 South.

**RESOLUTION NO. 2020-169**

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 the takeover of monthly payments to Alabama Power Company for five (5) 4,000 – 10,500 LED area streetlight fixtures and sixteen (16) 18,000 – 25,000 LED area streetlight fixtures at Renfroe’s Market located on Highway 431 South.

**RESOLUTION NO. 2020-170**

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 presented four (4) Resolutions in reference to declaring properties a public nuisance and authorizing and directing the Housing Abatement Board to take necessary action to demolish, remove and clear all building materials, trash, and debris from the following properties:

1. 1206 14<sup>th</sup> Avenue

**RESOLUTION NO. 2020-171**

2. 311 South Seale Road

**RESOLUTION NO. 2020-172**

3. 323 South Seale Road

**RESOLUTION NO. 2020-173**

4. 1015 4<sup>th</sup> Street South

**RESOLUTION NO. 2020-174**

Councilmember Day moved to approve the resolutions, 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 approving the lowest price quote from Herrington Paint Company to paint and renovate the Art Center Building in an amount not to exceed \$34,700.00.

**RESOLUTION NO. 2020-175**

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 presented a resolution in reference to authorizing the Mayor, City Manager and Chief of Police to sign an agreement with the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA) for the accreditation and certification for the Police Department.

**RESOLUTION NO. 2020-176**

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 declaring personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to the family of Assistant Chief Gail Green-Gilliam in recognition of her 33+ years of public service.

**RESOLUTION NO. 2020-177**

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, City Manager and City Attorney to sign documentation with ADEM to appoint the Director of Utilities Stephen Smith as the Representative to ADEM to provide State Revolving Fund Wastewater Loans.

**RESOLUTION NO. 2020-178**

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 presented a resolution in reference to authorizing the Mayor, City Manager and City Attorney to sign documentation with ADEM to appoint the Director of Utilities Stephen Smith as the Representative to ADEM to provide State Revolving Fund Drinking Water Loans.

**RESOLUTION NO. 2020-179**

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 an application for a Bonding Company License submitted by Christopher Aaron for Aaron's Bailbond's Company, LLC. located at 64 Lee Road 2068, Phenix City, AL 36870. Councilmember Day moved to place the application on first reading, 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 Daniel Lee. City Attorney Jimmy Graham stated that the claim alleges that on January 11, 2020, while driving on U. S. Highway 280 Ramp (Colonel Powell Interchange) heading towards Columbus, he ran over a pothole and damaged his front passenger tire wheel cover. City Attorney Graham recommended denying the claim due to U. S. Highway 280 Ramp (Colonel Powell Interchange) is maintained by Alabama Department of Transportation (ALDOT) and not Phenix City. Mr. Graham stated that he would contact Mr. Lee to inform him to contact ALDOT. Councilmember Gordy moved to approve the City Attorney's recommendation to deny the claim,

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 stated he received a phone call from Hugh Evans from the Secretary of State office concerning the City's Political Sign Ordinance. Mr. Graham also stated that it has been brought to his attention that the Ordinance was in violation of the Constitution. Mr. Graham further stated that content based signs can't be limited on private property. Mr. Graham stated that he has already seen political signs around town on private properties. Mr. Graham also stated that political signs are prohibited on the City's right of way and City property. Councilmember Bailey asked if political signs were allowed on the property of private business. Mr. Graham stated that with the owner's permission, it is ok.

Councilmember Day thanked everyone who came out to the Grand Opening of Renfroe's Market off of U. S. Highway 431 Councilmember Day stated that he is definitely excited about the great things that are happening not just in District Three but throughout the City.

Councilmember Day asked everyone to continue to pray for the family of Assistant Police Chief Gail Green Gilliam. Councilmember Day stated that he had the opportunity to present her with the first African American Assistant Chief of Police in Phenix City, Alabama award. Councilmember Day also stated that Assistant Chief Green Gilliam was a loving and devoted individual who will be missed.

Mayor Lowe presented the Notice of Election. Mayor Lowe stated that now is the time and place to give the Notice of Election for the 2020 Municipal Election for the City Council and the 2020 Election for the Phenix City Board of Education. Mayor Lowe also stated that qualification starts on July 7, 2020 and ends on July 21, 2020.

City Manager Wallace Hunter encouraged everyone to stay safe during the COVID-19 Pandemic. Mr. Hunter stated that the numbers of those testing positive for COVID-19 are increasing and it is up to us to stay safe and be conscience of our surroundings at work, home and while out in public to keep the numbers at a minimum.

City Manager Wallace Hunter thanked the Phenix City School Board Superintendent Randy Wilkes for the well thought plan put in place for the upcoming school year. Mr. Hunter stated that surrounding school systems are inquiring about Phenix City's plan and that is something to be proud of.

Mayor Lowe thanked the City Council, City Employees and the Citizens of Phenix City for being a part of a team. Mayor Lowe stated that we should continue to lift each other up in prayer.

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

There being no further business to address, the meeting thus adjourned until July 21, 2020.