

**MEETING MINUTES
July 21, 2020**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, July 21, 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 Melony Lee, and City Attorney Jimmy Graham by the way of Zoom Video Conferencing.

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

Reverend Dr. Clementine Warren, Hurts Chapel AME Church, delivered the invocation.

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

Mayor Lowe presented the regularly scheduled meeting minutes of the July 6, 2020 Work Session and July 7, 2020 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. ABSTAINS: 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 Mayor and City Manager to sign an agreement with Sain Associates, Inc. for engineering services within the Phenix Industrial Park in an amount not to exceed \$14,700.00.

RESOLUTION NO. 2020-180

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 make application to the Alabama Department of Economic and Community Affairs for Community Development and Block Grant (CDBG) funding in the amount of \$250,000.00 to demolish blighted homes.

RESOLUTION NO. 2020-181

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 establishing the pay for election officers or poll workers for the regular Municipal Election and the Phenix City Board of Education Election for Phenix City to be held on Tuesday, August 25, 2020.

RESOLUTION NO. 2020-182

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 appointing election officers or poll workers for the regular Municipal Election and the Phenix City Board of Education Election for Phenix City to be held August 25, 2020 and run-off, if necessary, October 6, 2020.

RESOLUTION NO. 2020-183

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 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: 932 13th Avenue, 308 16th Avenue South and 707 8th Street. . Mayor Lowe stated that the phone lines where open for anyone wishing to address council concerning any of the properties should come forward and do so at this time. Mayor Lowe further stated that interested parties could dial (334) 448-2704 and speak with council. Neither hearing nor seeing anyone come forward via telephone. Mayor Lowe declared the public 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. 932 13th Avenue

RESOLUTION NO. 2020-184

2. 308 16th Avenue South

RESOLUTION NO. 2020-185

3. 707 8th Street

RESOLUTION NO. 2020-186

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 approving the purchase of one (1) 2021 Freightliner M2-106 Pac Mac RL10 10CY Rear Loader Garbage Truck from Ingram Equipment in a total amount not to exceed \$141,918.57.

RESOLUTION NO. 2020-187

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 authorizing the Mayor and City Manager to make application to the State of Alabama Homeland Security Grant to obtain funds to purchase equipment used for Soft Target/Crowded Places Protection in the city in an amount not to exceed \$49,977.84.

RESOLUTION NO. 2020-188

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 one Scissor Lift-Genie GS-4069RT from United Rentals in an amount not to exceed \$57,407.15.

RESOLUTION NO. 2020-189

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 Letter of request from Planning Commission, Public Notice and Ordinance for first reading to rezone 1.16 acre tract of land located at 1600 13th Place, Ronald N. Shows, owner.

LETTER
PUBLIC NOTICE
ORDINANCE

Councilmember Day moved to accept the letter, approve the public notice, and 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. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for second reading 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 Bailey moved to approve the application, 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 notice of claim against the City of Phenix City, filed by Adams White & Oliver, LLP on behalf of Jorge and Tonia Borboa. City Attorney Graham stated that the claim alleges that the City was negligent in the design, installation and maintenance of sewer lines located adjacent to their property in the Summerfield Subdivision. City Attorney Graham recommended denying the claim due to the fact that the City did not design or install the low-pressure sanitary sewer system in the Summerfield Subdivision. Mr. Graham stated that John Spraggins, Utilities Engineer, and Steve Smith, Utilities Director have met with the Borboas on several occasions and offered an alternative solution as a courtesy to help with the sewer lines issues. Mr. Graham also stated that the Borboas declined the Utilities Department offer. 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, 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 Geico as subrogee of Stanley Wilkins. City Attorney Graham stated that the claim alleges that on April 11, 2020, while driving on Highway 165, a Phenix City Police Officer made a sudden stop in a patrol vehicle causing the collision of several motorcycles following behind the patrol vehicle and damages to Mr. Wilkins motorcycle. City Attorney Graham recommended denying the claim due to the accident report stated that the officer was not at fault and the group of motorcycles were following to close to the patrol vehicle. 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, 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 Duell L. Collins Jr. City Attorney Graham stated that the claim alleges that on February 16, 2020, Phenix City Police Officers responded to a medical emergency call and while at the resident the Police Officer pushed opened a locked interior door to release a pet in the room. City Attorney Graham also stated that the Mr. Collins mother gave permission for the Police Officer to push open the door to release the pet. City Attorney Graham further stated that Mr. Collins was not home at the time of the incident. City Attorney Graham recommended paying the claim in the lowest estimate of \$46.86. Councilmember Johnson moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$46.86, 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.

Councilmember Johnson encouraged everyone to practice social distancing, take all necessary precautions, and to wear mask when out in public. Councilmember Johnson stated God has all power but we have to do our part and follow the guidelines set in place for our safety and the safety of others.

Councilmember Johnson stated that on Friday, July 17, 2020 Fort Benning, Georgia held its Change of Command Ceremony on Facebook Live. Councilmember Johnson thanked Major

General Gary M. Brito and his family for a job well done while serving at Fort. Benning. Councilmember Johnson welcomed Major General Patrick Donahoe to our Tri-City area.

Councilmember Day thanked Major General Brito and his family for their leadership and support during the time served at Fort. Benning, Georgia. Councilmember Day stated that Major General Brito was always willing to lend a helping hand to Phenix City when needed and has done an outstanding job in the community.

Councilmember Day stated that he is excited for the great things that are happening in South Phenix City, District Three. Councilmember Day also stated that the 5th Street South Project is coming together nicely. Councilmember Day further stated that he has heard nothing but positive reviews on the opening of Renfroe's Market off of Highway 431.

City Manager Wallace Hunter encouraged everyone to complete the 2020 Census. Mr. Hunter stated that our area is below the average on completion rate. Mr. Hunter also stated that the data collected from the Census is used for education, housing and Federal and State grant funding programs. Mr. Hunter further stated that the 2020 Census team will be contacting citizens with non-response follow ups. Mr. Hunter stated that it is very important that everyone is counted. Mr. Hunter also stated that the City has grown and advanced quite a bit since he has been City Manager. Mr. Hunter stated that Phenix City is in the top five cities in Alabama that is competitively growing. Mr. Hunter also stated that it takes a team to make things happen in the City and that includes the City Council, Department Heads, City employees and the citizens all working together. Mr. Hunter encouraged the citizens that have not completed their Census to call the City Manager's Office at 334-448-2701 or the City Clerk's Office at 334-448-2727 for assistance. Mr. Hunter stated that growing the City is connected to the Census and everyone needs to be counted.

Councilmember Day stated that he received a phone call stating that there were unsupervised children at the pool on 5th Street South. Councilmember Day also stated that he called the City Manager's Office and the matter was addressed. City Manager Wallace Hunter stated that children under the age of 18 should be under adult supervision at all City parks and pools. Mr. Hunter also stated that Life Guards are provided at the pool for safety of all participants and rules and regulations must be followed.

Mayor Lowe stated that we are a team and what affects one affects the other. Mayor Lowe also stated that working together is for the betterment of our community. Mayor Lowe further stated that no matter what District a person lives we are all a part of the City of Phenix City, Alabama. Mayor Lowe stated that rules and regulations are necessary to combat rebellion. Mayor Lowe thanked everyone for being a part of the Phenix City team.

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 August 4, 2020.