

MEETING MINUTES
August 4, 2020

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, August 4, 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.

Councilmember Day delivered the invocation.

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

Mayor Lowe presented the regularly scheduled meeting minutes of the July 20, 2020 Work Session and July 21, 2020 Council Meeting for approval. Councilmember Day moved to approve the minutes, 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 stated there was no unfinished business to address at this time.

Mayor Lowe presented a resolution issuing a certificate of election to Eddie N. Lowe for the office of Mayor for such term pursuant to the provisions of Section 11-46-25, as amended.

RESOLUTION NO. 2020-190

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 issuing a certificate of election to R. Griff Gordy for the office of Councilmember At-Large for such term pursuant to the provisions of Section 11-46-25, as amended.

RESOLUTION NO. 2020-191

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 issuing a certificate of election to Donald Steve Bailey for the office of Councilmember District One for such term pursuant to the provisions of Section 11-46-25, as amended.

RESOLUTION NO. 2020-192

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 issuing a certificate of election to Arthur Lee Day, Jr. for the office of Councilmember District Three for such term pursuant to the provisions of Section 11-46-25, as amended.

RESOLUTION NO. 2020-193

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 issuing a certificate of election to Jonathan Taylor for the office of School Board Member District One Place Two for such term pursuant to the provisions of Section 11-46-25, as amended.

RESOLUTION NO. 2020-194

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 issuing a certificate of election to KeAnthony Brooks for the office of School Board Member District Two Place Two for such term pursuant to the provisions of Section 11-46-25, as amended.

RESOLUTION NO. 2020-195

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 issuing a certificate of election to Yolaunda M. Daniel for the office of School Board Member District Three Place Two for such term pursuant to the provisions of Section 11-46-25, as amended.

RESOLUTION NO. 2020-196

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 compensating City Clerk Employees and City Manager Employees in the amount of \$25.00 per day per person for the performance of his or her duties with respect to the absentee ballots on election day.

RESOLUTION NO. 2020-197

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 enter into an agreement with Provision Contracting Services, LLC. for structural repairs and reconstruction of the Riverwalk in an amount not to exceed \$314,000.00.

RESOLUTION NO. 2020-198

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 accepting dedication of sanitary sewer easements within US Highway 280E at the Phenix Corners Shopping Center, for Second Street of Phenix City, LLC.

RESOLUTION NO. 2020-199

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 and Public Notice in reference to making application to the Bureau of Justice for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) for purchasing equipment for the Police Department.

RESOLUTION
PUBLIC NOTICE

Councilmember Day moved to place resolution on first reading and 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 authorizing and directing the Mayor, City Manager, and the Police Chief to enter into a Mutual Aid Agreement with the City of Auburn, Alabama, for Professional Services utilizing both police departments.

RESOLUTION NO. 2020-200

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 and directing the Mayor and City Manager to enter into an agreement with WJH, LLC to hold the city harmless from any liability resulting from the construction of line damage of driveway located at 353 Partisan Drive.

RESOLUTION NO. 2020-201

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 three (3) Resolutions and Public Notices in reference to setting public hearing dates and fixing demolitions costs associated with the following properties located in Phenix City:

1. 1305 7th Avenue

RESOLUTION NO. 2020-202
PUBLIC NOTICE

2. 401 15th Avenue South

RESOLUTION NO. 2020-203
PUBLIC NOTICE

3. 2407 and 2409 16th Court

RESOLUTION NO. 2020-204
PUBLIC NOTICE

Councilmember Day moved to approve the resolutions and public notices, 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 Chapter 82 Utilities, Article III Sanitary Sewers, Division 1 Generally, Section 80 Definitions and Use of Phrases, of the Code of Ordinances of the City of Phenix City, Alabama. Councilmember Day 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.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Shekia Upshaw. City Attorney Jimmy Graham stated that the claim alleges that on July 6, 2020, while driving on Highway 80, Ms. Upshaw ran over a pothole and damaged her front driver side

tire and wheel cover. Mr. Graham also stated that the pothole was created by a leaky drain that the City owns underneath the road. City Attorney Graham recommended paying the claim in the lowest estimate of \$146.40. Councilmember Johnson moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$146.40, 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, Bailey, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Councilmember Bailey stated that the COVID-19 Pandemic does not appear to be going away anytime soon. Councilmember Bailey also stated that people have passed away or have become very ill in our area as a result of contracting the Coronavirus. Councilmember Bailey asked everyone to keep all of the families in their prayers. Councilmember Bailey encouraged everyone to be safe to slow the spread of the disease.

Councilmember Day congratulated the candidates that were newly elected to the Phenix City School Board. Councilmember Day stated that the new position may be a challenge but if they pray, go into the position with the right frame of mind and treat people right everything will be okay.

Councilmember Day asked everyone to pray for the family of Lee County Commissioner Johnny Lawrence, who recently passed away. Councilmember Day stated that he had the pleasure of serving with Mr. Lawrence on the Lee-Russell Council Government for eight years. Councilmember Day also stated that Mr. Lawrence was well known in the community and he will be missed.

Councilmember Day encouraged every to pray and stay safe during this COVID-19 Pandemic. Councilmember Day stated that God will see us through this trying time.

Mayor Lowe stated that the City Council, City Manager, City employees and the citizens of Phenix City are all on the same team. Mayor Lowe thanked the Citizens for their understanding as we go through this together. Mayor Lowe asked everyone to be careful and be safe.

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 18, 2020.