

**MEETING MINUTES  
August 18, 2020**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, August 18, 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 James McKoon by the way of Zoom Video Conferencing. City Clerk Melony Lee and City Attorney Jimmy Graham were not present.

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

Mayor Lowe delivered the invocation.

Mayor Lowe 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 Day 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.

City Manager Wallace Hunter and Human Resources Director Stephanie Chastain presented employee service recognitions by the way of Zoom Video Conferencing to Shannon Davis - 5 years, Sherry Roberson - 5 years, Jennifer Lowman – 10 years, Michael Lucas – 5 years, Earnest Whitley – 10 years, John Pinkney – 10 years, John Spraggins – 10 years, Michael Smisek - 25 years, Steven Johnston 5 years, and James Anthony - 30 years.

Mayor Lowe presented the regularly scheduled meeting minutes of the August 3, 2020 Work Session and August 4, 2020 Council Meeting for approval. Councilmember Gordy 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 presented the meeting minutes of the August 6, 2020 Budget Public Hearing 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 stated there was no unfinished business to address at this time.

Mayor Lowe presented a resolution reference to approving the Budget for the 2020-2021 Fiscal Year.

**RESOLUTION NO. 2020-205**

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 adopting an Annual Transportation Plan.

#### **RESOLUTION NO. 2020-206**

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 declared that now was the time and place for a public hearing in reference to making application to the Bureau of Justice Assistance for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) for purchasing equipment for the Police Department. Mayor Lowe stated that the phone lines were open for anyone wishing to address Council concerning the grant application process 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. Chief of Police, Ray Smith, stated that the grant is Federal Funds that are shared biannually with the Russell County Sheriff Department and they secured equipment for their special response team. Chief Smith also stated that this year's grant will help secure equipment to further the Police Department's crime fighting efforts in our community. Chief Smith further stated that the funds will be used to update the Police Department's finger print data base technology system to help solve more crimes. Chief Smith stated that the public may call the Police Department at 334-448-2817 or the City Manager's office at 334-448-2702 to make inquiries or recommendations. No one called in via phone. Mayor Lowe declared this portion of the public hearing closed.

Mayor Lowe presented a resolution in reference to making application to the Bureau of Justice Assistance for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) for purchasing equipment for the Police Department.

#### **RESOLUTION NO. 2020-207**

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 accepting the dedication of an easement for Public Utilities on a "Plat of Property Division for Lots 6,7 & 8, Block A, Addition to Jonella Subdivision, located in Section 28, Township 17 North, Range 30 East, Phenix City, Russell County, Alabama" Fernando Juarez and Maria Guadalupe Sanchez De La Rosa, owners.

#### **RESOLUTION NO. 2020-208**

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 and directing the Mayor and City Manager to sign Change Order Number 1 with Herrington Paint Company in the amount of \$6,700.00 to Prep LVP Flooring and Upgrade Interior LED Lighting at the Art Center.

#### **RESOLUTION NO. 2020-209**

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 an encroachment on city right of way on the corner of 12<sup>th</sup> Avenue and 14<sup>th</sup> Place to the Phenix City Housing Authority.

#### **RESOLUTION NO. 2020-210**

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 and Public Notice in reference to setting public hearing dates and fixing demolitions costs associated with the following property located in Phenix City at 1304 17<sup>th</sup> Court, Phenix City, Alabama.

#### **RESOLUTION NO. 2020-211** **PUBLIC NOTICE**

Councilmember Day moved to approve the resolution and 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 the Mayor and City Manager to enter into a contract agreement with Tip Top Masonry to repair burial plot walls and copings at Big Pine Grove Cemetery in an amount not to exceed \$13,300.00.

#### **RESOLUTION NO. 2020-212**

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 personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to Captain Jimmy Anthony in recognition of his 30 years of public service.

**RESOLUTION NO. 2020-213**

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 a 48 month lease agreement with Jerry Pate Turf & Irrigation for (60) sixty 2021 Club Car Tempo Gas EFI with Car Control for Lakewood Golf Course, in an amount not to exceed \$257,412.96.

**RESOLUTION NO. 2020-214**

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 and City Manager to enter into a 48 month lease agreement with Jerry Pate Turf & Irrigation for (1) one Club Car 2021 Carryall 300 Gas-Range Cart for Lakewood Golf Course, in an amount not to exceed \$10,431.36.

**RESOLUTION NO. 2020-215**

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 authorizing the Mayor and City Manager to enter into a 48 month lease agreement with Jerry Pate Turf & Irrigation for (2) two Club Car 2021 Carryall 300 Gas for Lakewood Golf Course, in an amount not to exceed \$14,980.80.

**RESOLUTION NO. 2020-216**

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 for second 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.

**ORDINANCE NO. 2020-07**

Councilmember Gordy moved to approve the ordinance, 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. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented an application for an Off Premise Beer License and Off Premise Wine License submitted by Deborah Miller for Family Dollar Stores of Alabama, LLC. dba Family Dollar Store #20296 located at 1113 E 280 Bypass, Phenix City, Alabama. Councilmember Gordy moved to place the application on first reading, 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 James McKoon presented a claim against the City of Phenix City, filed by David Dollar. City Attorney James McKoon stated that the claim alleges that on June 5, 2020, a tree on City property fell onto Mr. Dollar's property and damaged 100 feet of his chain linked fence. Mr. McKoon recommended denying the claim due to no prior knowledge of the tree being dead or diseased. 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, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Bailey. The motion thus passed.

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 stated that the schools finished out last school year in an unprecedented Pandemic and will begin this school year in the same way. Councilmember Johnson wished the Phenix City School System, Smith Station School System, Russell County School System and all of the surrounding area school systems a safe and prosperous school year.

Councilmember Day reminded everyone to vote on Tuesday August 25, 2020 for the Phenix City School Board and City Council District Two Councilmember position. Councilmember Day stated that it is very important that everyone exercise their right to vote.

Councilmember Day thanked City employees that were recognized today for their diligence in serving the City of Phenix City, Alabama throughout the years. Councilmember Day stated that it is truly a blessing for the employees and the City for their hard work and dedication. Councilmember Day wished Fire Department's Captain James Anthony a happy and safe retirement. Councilmember Day thanked Mr. Anthony for his 30 years of service.

Councilmember Day stated that he has received positive feedback on the dedication of a portion of 5<sup>th</sup> Street South to former Councilmember, the late Arthur Sumbry Sr.

Councilmember Day encouraged every to keep the streets of Phenix City safe and clean.

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 September 1, 2020.