

**MEETING MINUTES
September 1, 2020**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, September 1, 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 by the way of Zoom Video Conferencing were City Manager Wallace Hunter, City Clerk Melony Lee, and City Attorney Jimmy Graham.

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

Councilmember Gordy delivered the invocation.

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

City Manager Wallace Hunter and Human Resources Director Stephanie Chastain presented employee service recognitions by the way of Zoom Video Conferencing to Krystal Greene - 5 years, Nicholas Tosti - 5 years, John Young – 5 years, Patrick Doleman – 10 years, Samuel Oshel – 10 years, Michael Seavers – 10 years, Jose Silva – 10 years, Donnie Thomas – 15 years, Hurry Jones - 5 years, Jennifer Osorio - 5 years, Demarcie Whatley – 5 years and Justin Worthington - 5 years.

Mayor Lowe presented a proclamation recognizing Public Safety Week – Day - Sunday.

PROCLAMATION

City Clerk Melony Lee read the proclamation. Mayor Lowe stated that the designated person from the House of Heroes – Chattahoochee Valley Chapter, would pick up the official proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the August 17, 2020 Work Session 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 Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Day. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the August 18, 2020 Council Meeting 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 Resolution No. 2020-217 to be ratified in reference to adding Poll Workers for the Phenix City Municipal Election on the 25th day of August.

RESOLUTION NO. 2020-217

Councilmember Gordy moved to ratify 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 No. 2020-218 to be ratified in reference to authorizing the Mayor and City Manager to sign documents with ADECA for grant assistance to replace four (4) vehicles in the Public Works Department.

RESOLUTION NO. 2020-218

Councilmember Johnson moved to ratify 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 David Jason Whitten and wife Tammy Renee Whitten verses the City of Phenix City Case No. 43-CV-2019-900143.00 in the amount of \$85,512.98.

RESOLUTION NO. 2020-219

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 granting a tax abatement to Arbor Vita8, LLC.

RESOLUTION NO. 2020-220

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 amending Resolution 2019-44 in reference to the Ground Lease with the Phenix City Housing Authority.

RESOLUTION NO. 2020-221

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 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: 1305 7th Avenue, 401 15th Avenue South, 2407 and 2409 16th Court. 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) 448-2726 and speak with council. Mr. Curtis Kimber called in concerning 1305 7th Avenue. Mr. Kimber stated that he was not given an opportunity to have the property demolition with a contractor of his choice. Mr. Kimber also stated that he might have been able to find a contractor with a lower price and feels that the money due to the City is unfair. Gil Griffith, Building Official, stated that certified letters were mailed out in 2015 requesting that the property be brought up to code or it would be torn down at the owner's expense. Mr. Griffith also stated that in 2020 the certified letter stated that the property was declared a public nuisance and would be demolished. Mr. Kimber acknowledged that he received the letters but stated that a specific date for the demolishment was not listed. Mayor Lowe stated that demolishing a property is a lengthy process and the City followed the steps set by State law. Mr. Griffith stated that the property owner does have an opportunity to have the structure torn down themselves before the City awards the lowest bid to a contractor. Mr. Griffith also stated that the Building Department did not receive notification from Mr. Kimber concerning the property. Mayor Lowe thanked Mr. Kimber for speaking with council. Janice and Charles Hightower came forward by telephone concerning 2407 and 2409 16th Court. Mrs. Hightower stated that she and her husband did not receive prior notification that the properties would be torn down. Mr. Griffith stated that both structures are on the same property and that is why they are listed together. Mr. Griffith also stated that the first notification was mailed in November 2018 to Mr. Hightower to an address in Pleasant Grove, Alabama. Mr. Griffith further stated that the address was obtained from the Russell County Tax Assessor's Office. Mr. Griffith stated that in May 2019 a second notice was mailed to Mr. Hightower to an address in Birmingham, Alabama. Mr. Griffith also stated that the mail was returned to the Building Department stamped as undeliverable mail. Mr. Griffith further stated that copies of all the certified letters were placed on the structures each time. Mr. Griffith stated that in 2020 a certified letter was mailed out to Pittsview Holding who bought the property. Mayor Lowe stated that the property was able to be bought by Pittsview Holding Company because the taxes were not paid. Mrs. Hightower stated that they were able to purchase the property back from Pittsview Holding. Mayor Lowe stated that the property was already on list to be demolished at the time it was bought back. Councilmember Gordy stated that the Building Department sent out notices based on the address listed at the Russell County Tax Assessor's Office as instructed by State law. Mayor Lowe stated that the City does everything to contact a property owner and work with them before it gets to the point of no return. Mayor Lowe thanked Mrs. Hightower for speaking with Council. Neither hearing nor seeing anyone come forward by phone concerning 401 15th Avenue South, 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. 1305 7th Avenue

RESOLUTION NO. 2020-222

2. 401 15th Avenue South

RESOLUTION NO. 2020-223

3. 2407 and 2409 16th Court

RESOLUTION NO. 2020-224

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 rescinding Resolution No. 2020-211 in reference to the demolition of structure located at 1304 17th Court.

RESOLUTION NO. 2020-225

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 a public hearing date and fixing demolition costs associated with 1304 17th Court, Phenix City, Alabama.

RESOLUTION NO. 2020-226
PUBLIC NOTICE

Councilmember Day moved to approve the resolution and public notice, 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 sign contract documents awarding a bid to Amazing Scapes in the amount of \$62,880.00 annually for three years for landscape maintenance.

RESOLUTION NO. 2020-227

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 in reference to authorizing the Mayor and City Manager to enter into a contract agreement with CITYBASE to purchase a wall Kiosk in the amount of \$72,000.00, with an ongoing monthly maintenance fee of \$250.00 for the first (3) years.

RESOLUTION NO. 2020-228

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 declared that now was the time and place for a public hearing regarding an Ordinance to rezone 1.16 acre tract of land located at 1600 13th Place, Ronald N. Shows, owner. Mayor Lowe stated anyone wishing to address Council concerning this ordinance 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. Mayor Lowe further stated that you could dial (334) 448-2726 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 for second reading an Ordinance to rezone 1.16 acre tract of land located at 1600 13th Place, Ronald N. Shows, owner.

ORDINANCE NO. 2020-08

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 two (2) openings on the Personnel Review Board. Mayor Lowe called for nominations. Councilmember Day nominated to reappoint Barbara Mitchell. There were no other nominations. Mayor Lowe called for a motion. Councilmember Gordy moved to reappoint Barbara Mitchell, 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 called for nominations. Councilmember Bailey nominated to reappoint Bobby Kilcrease. There were no other nominations. Mayor Lowe called for a motion. Councilmember Johnson moved to reappoint Bobby Kilcrease, 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 one opening on the Planning Commission Board. Mayor Lowe called for nominations. Councilmember Johnson nominated to reappoint Annie Lindsey. There were no other nominations. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Annie Lindsey, 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 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 Day 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.

Councilmember Day congratulated the newly elected School Board members. Councilmember Day thanked them for giving of themselves and being willing to serve the community. Councilmember Day congratulated Councilmember Johnson on her reelection to the City Council.

Councilmember Johnson congratulated the employees that were recognized for over five years of service. Councilmember Johnson stated that it is an honor to have dedicated employees that work for the City. Councilmember Johnson thanked the Public Safety Department for their hard work and dedication to the City as we take the time to recognize Public Safety Week.

Councilmember Johnson thanked the Citizens of District Two for re-electing her for four more years to serve on the City Council. Councilmember Johnson stated that she is very humble and appreciative and will continue to do her very best to represent District Two. Councilmember Johnson thanked everyone who took the time to exercise their right to vote. Councilmember Johnson congratulated the newly elected school board.

Councilmember Bailey congratulated Councilmember Johnson on her reelection. Councilmember Bailey stated that the City Council represents Phenix City and has the City's best interest in the forefront. Councilmember Bailey also stated that the City Manager Wallace Hunter and the Department Heads do a great job of managing the day-to-day operations of the City. Councilmember Bailey thanked the Police Department, Fire Department and the First Responders for all that they do to protect the City.

Mayor Lowe stated that Phenix City is a great City to live in. Mayor Lowe also stated that it is blessing to have a great team that works together for the betterment of the City. Mayor Lowe further stated that the City has reached a historical point with the first elected School Board. Mayor Lowe stated that he served on the School Board for twelve years and it can be challenging but if they remain humble and serve for the right reasons, everything will be all right. Mayor Lowe also stated that the City is only as good as the School System and the School System is only as good as the City. Mayor Lowe further stated that both organizations are the nucleus of the City. Mayor Lowe stated that the City Manager runs the day-to-day operations of the City and the Superintendent runs the day-to-day operations of the school system. Mayor Lowe encouraged everyone to follow the law of the land and do what is right, wholesome and decent.

City Manager Wallace Hunter stated as the Public Safety Director, he has noticed major changes throughout the country since September 11, 2001. Mr. Hunter also stated that between himself, the Chief of Police Ray Smith and Fire Chief Kris Kennedy there is over 100 years of service in Phenix City. Chief Kennedy thanked Council and Mr. Hunter for the Public Safety Proclamation and recognition. Chief Kennedy stated that it is her calling in life to serve others and the community. Chief Kennedy also stated that it has been a pleasure to work in the Fire Department. Chief Smith stated that he is grateful for the leadership of the City. Chief Smith thanked Mayor and Council for recognizing Public Safety Week and remembering 9/11. Chief Smith stated that the Police Department and the Fire Department need the support of the community as well as the community needs the support of the Police Department and Fire Department. Chief Smith also stated that the City's Public Safety and Law Enforcement goes through continuous training and accountability to eliminate some of the problems other Cities might be having doing these trying times. Chief Smith further stated that he is grateful for the support.

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 15, 2020.