

**MEETING MINUTES**  
**October 6, 2020**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, October 6, 2020 at 9:00 a.m. at the Central Activity Center located at 1500 14<sup>th</sup> Street, Phenix City, Alabama. 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. Also present were City Manager Wallace Hunter, City Clerk Office Manager Shannon Davis, and City Attorney Jimmy Graham. City Clerk Melony Lee was not present.

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

Reverend Johnny Ellison with Golden Acres Baptist Church delivered the invocation.

Councilmember Johnson 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 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. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented a proclamation recognizing Head Start Awareness Month.

**PROCLAMATION**

Tracy Belt, Enrichment Services Early Success Collaboration Coordinator, came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the September 14, 2020 Work Session and the September 15, 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 stated there was no unfinished business to address at this time.

Mayor Lowe presented a Resolution No. 2020-246 to be ratified in reference to authorizing the Mayor and City Manager to enter into an agreement with Burgess Master Masonry Co. for cemetery repairs at Big Pine Grove Cemetery in an amount not to exceed \$11,564.00.

**RESOLUTION NO. 2020-246**

Councilmember Day 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 taking all actions necessary to acquire the following property located at 1002 Highway 280 Bypass, Parcel #: 57-05-05-16-4-001-002.000 from the State of Alabama in an amount not to exceed \$100.00.

**RESOLUTION NO. 2020-247**

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 an agreement with Beasley, Allen, Crow, Methvin, Portis & Miles, P. C. to represent the City in a Class Action Lawsuit against Master Meter, Inc.

**RESOLUTION NO. 2020-248**

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 authorizing and directing the Mayor and City Manager to sign Change Order No. 3 with Gordy Construction Company for the Summerville Road Sanitary Extension Project.

**RESOLUTION NO. 2020-249**

Councilmember Bailey 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 Alabama Power Company to remove (19) nineteen APCO leased (HID) fixtures and install (20) nineteen APCO leased (LED) light fixtures at Meadowlane Park.

**RESOLUTION NO. 2020-250**

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 awarding a bid to Ceres Environmental Services for disaster debris removal, disposal, and reduction services in the event of a federal or state declared emergency.

**RESOLUTION NO. 2020-251**

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 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 assessment upon property located at 1304 17<sup>th</sup> Court. Mayor Lowe stated anyone wishing to address council on any of the properties should come forward or call 334-448-2719 and do so at this time. Neither hearing nor seeing anyone come forward, Mayor Lowe declared the hearing closed.

Mayor Lowe presented a resolution 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 assessment upon property located at 1304 17<sup>th</sup> Court.

**RESOLUTION NO. 2020-252**

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 and directing the Mayor and City Manager to sign a contract agreement with Seay Seay & Litchfield, P.C. to design plans to construct a Fire Training Facility in an amount not to exceed \$1,250,000.

**RESOLUTION NO. 2020-253**

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 and directing the Mayor and City Manager to enter into an agreement with GameTime for the installation of playground equipment in an amount not to exceed \$56,277.23.

**RESOLUTION NO. 2020-254**

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 and directing the Mayor, City Manager, and Chief of Police to enter into an agreement for the administration of grant funds through the SEARHSO-ESCC-Community Traffic Safety Program from October 1, 2020 through September 30, 2021.

**RESOLUTION NO. 2020-255**

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 declaring seven (7) Office Chairs with arms (black/gray) as surplus to be disposed of at the City Landfill.

**RESOLUTION NO. 2020-256**

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 one 2020 Chevrolet Tahoe as surplus and transferring it to the Utilities Department.

**RESOLUTION NO. 2020-257**

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 eight (8) resolutions in reference to awarding bids for chemicals to the following companies:

1. Aluminum Sulfate – C&S Chemicals - \$0.1525 / lb

**RESOLUTION NO. 2020-258**

2. Granular Soda Ash – Harcross - \$0.158 / lb

**RESOLUTION NO. 2020-259**

3. Hydrofluosilicic Acid – Brenntag Mid-South, Inc. - \$0.82 / dry lb

**RESOLUTION NO. 2020-260**

4. Liquid Chlorine (CL2) – Brenntag Mid-South, Inc. - \$589.00 / ton

**RESOLUTION NO. 2020-261**

5. Dry Polymer – CedarChem, LLC - \$1.98 / lb

**RESOLUTION NO. 2020-262**

6. Liquid Polymer – CedarChem, LLC - \$1.235 / lb

**RESOLUTION NO. 2020-263**

7. Sulfur Dioxide (SO<sub>2</sub>) – Brenntag Mid-South, Inc. - \$749.00 / ton

**RESOLUTION NO. 2020-264**

8. Zinc – Phosphate – CedarChem, LLC - \$0.636 / lb (Wet) \$1.325 / lb (Dry)

**RESOLUTION NO. 2020-265**

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 for first reading an Ordinance Amending Ordinance No. 2020-09 and Ratifying Certain Documents and Actions.

**ORDINANCE NO. 2020-10**

Councilmember Day moved to dispense the 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. Councilmember Gordy moved to suspend the rules, 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. Councilmember Day moved to approve the ordinance, 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 one opening on the Improvement District – Brickyard Project. Councilmember Gordy moved to table the appointment, 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 two (2) openings on the Tree Commission. Mayor Lowe called for nominations. Councilmember Day nominated to appoint Lula Harris. There were no other nominations. Mayor Lowe called for a motion. Councilmember Gordy moved to appoint Lula Harris, 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 Bailey nominated to reappoint Donnie Pitts. There were no other nominations. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Donnie Pitts, 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 an application for a Bonding Company License submitted by Amber Brooke Milner for Queen B. Bail Bonds located at 9063 Lee Road 246 Suite 1, Smiths

Station, Alabama. 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.

Mayor Lowe presented an application for an Off Premise Whiskey/Wine License submitted by Harihare, LLC dba Big Cat Package located at 3858 D Highway 80 West, Phenix City, Alabama. Councilmember Gordy moved to place the application 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 an application for an On Premise Beer License, On Premise Whiskey/Wine License, Billiards/Pool License, and Dancing with a Live band and Juke Box License submitted by Dhaval Patel for Khamlai 1981 Lodging, LLC dba Phenix Flames Sports Bar and Grill located at 1700 Highway 280 Bypass, Phenix City, Alabama. Councilmember Gordy moved to approve the application, 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 an Off Premise Beer License, Off Premise Wine License and Off Premise Whiskey/Wine License submitted by Jim Hurston and Virginia Lyn Stephens for Convenience Management, Inc. dba Stagecoach Package 1 located at 98 Stagecoach Drive, Phenix City, Alabama. Councilmember Day moved to approve the application, 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, Alabama filed by Laquavia McGraw. Mr. Graham stated that on September 15, 2020 while driving on 22<sup>nd</sup> Avenue, Ms. McGraw ran over a pothole and damaged the front end of her vehicle. Mr. Graham recommended denying the claim due to no prior knowledge of the pothole. Mr. Graham stated that the Public Works Streets and Drainage Division had no prior knowledge of the pothole until the officer called to the scene reported it. 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 presented a claim against the City of Phenix City, Alabama filed by Darius Farley. Mr. Graham stated that on August 10, 2020 while traveling westbound on Auburn Road, Mr. Farley ran over a utility cut and damaged the front right tire of his vehicle. Mr. Graham recommended paying the claim in the lowest estimate of \$607.04 due the Public Works Streets and Drainage Division had prior knowledge of the utility cut. Mr. Graham stated that the cut was scheduled to be repaired on August 11, 2020. Councilmember Gordy moved to approve the City Attorney's recommendation to pay the claim in the lowest amount of \$607.04, 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 Manager Wallace Hunter stated the City has lost a great pillar of the community in the passing of Mr. Roy Greene on Monday October 5, 2020 at the age of ninety-nine. Mr. Hunter asked that everyone be in prayer for Mr. Greene's family and the entire City. Mr. Hunter stated that he knew and respected Mr. Greene personally and professionally. Mr. Hunter also stated that Mr. Greene was a very humble man who loved Phenix City and definitely will be missed by everyone who had the pleasure of knowing him.

City Manager Wallace Hunter stated that vandalism is becoming a problem at Rosemount Park. Mr. Hunter also stated that now is the time for the community to come together to stop vandalism in our City. Mr. Hunter further stated that the City has invested a lot of taxpayers money into the parks for the enjoyment of the community and does not want it destroyed.

Councilmember Johnson stated that she wanted to clarify the difference in the two claims that were presented at today's Council Meeting. Councilmember Johnson also stated that the City follows the law and guidelines set by the state. Councilmember Johnson further stated that one claim the City had no prior knowledge of the pothole and was not liable and the other the City had prior knowledge of the pothole but was unable to repair it before the incident.

Councilmember Johnson stated that October is Breast Cancer Awareness Month and she is wearing pink in support of all who have fought, are still fighting or maybe even lost their fight with breast cancer.

Councilmember Johnson asked everyone to slow down and be mindful of speed limits when driving through the streets of Phenix City for the safety of themselves and others.

Councilmember Johnson thanked the citizens of District Two and Pastor Johnny Ellison of Golden Acres Baptist Church for attending the Council Meeting.

Mayor Lowe stated that he has known Mr. Roy Greene for a very long time and he meant a lot to him and his family. Mayor Lowe also stated that Mr. Greene was a good example to follow and a very humble man who gave of himself and did not ask for recognition in return. Mayor Lowe further stated that Mr. Greene left an imprint on the City that will never be forgotten.

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 October 20, 2020.