

**MEETING MINUTES  
November 17, 2020**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, November 17, 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. Also present were City Manager Wallace Hunter, City Attorney Jimmy Graham, and City Clerk Melony Lee.

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.

Mayor Lowe presented the regularly scheduled meeting minutes of the November 2, 2020 Work Session and the November 3, 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 presented the Called Meeting Minutes of the November 2, 2020 Oath of Office Meeting and the Called Meeting Minutes of the November 2, 2020 Organizational Meeting for approval. Councilmember Gordy 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 tabled Resolution No. 2020-266 to be ratified in reference to authorizing and directing the Mayor and City Manager to enter into an agreement to hold TUC Construction, Inc. harmless in connection with the installation for the 24" sewer line connecting to a 30" line crossing Opelika Road Bridge.

**RESOLUTION NO. 2020-266**

Councilmember Day moved to ratify 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 make application for grant assistance from ALDOT for resurfacing Dobbs Drive from Auburn Road to Opelika Road.

**RESOLUTION NO. 2020-285**

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 a contract with Charles F. Haines, Jr. for the purchase of property located at 1109 and 1113 5<sup>th</sup> Avenue and 1110 and 1112 Broad Street in an amount not to exceed \$850,000.00.

#### **RESOLUTION NO. 2020-286**

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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Bailey. The motion thus passed.

Mayor Lowe presented a resolution in reference to authorizing and directing the Mayor and City Manager to enter into a contract agreement for Professional Services between The Phenix City Housing Authority and the Phenix city Police Department.

#### **RESOLUTION NO. 2020-287**

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 adopting the East Alabama Regional Multi-Jurisdictional Hazard Mitigation Plan: Phase One, 2020.

#### **RESOLUTION NO. 2020-288**

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 for first reading an ordinance to exempt certain items from the Municipal Sales and Use Tax during February, 2021, referred to as the Severe Weather Preparedness Tax Holiday. 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. ABSTAINS: None. The motion carried.

Mayor Lowe presented five (5) previously tabled openings on the Housing Code Abatement Board. Mayor Lowe advised each appointment will be taken separately, in the following order: beginning with District Three, then District Two, then District One, then At-Large, and ending with the Mayor's appointment. Mayor Lowe called for District Three's appointment. Councilmember Day moved to appoint Mr. Ricky Martin, 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 carried. Mayor Lowe called for District Two's appointment. Councilmember Johnson moved to reappoint Mr. Ira Kendrick, 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 carried. Mayor Lowe called for District One's appointment. Councilmember Bailey moved to reappoint Mr. Bronny Brown, 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 carried. Mayor Lowe called for the At-Large's appointment. Councilmember Gordy moved to appoint Mr. Kendall Parks, 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 carried. Mayor Lowe called for the Mayor's appointment. Mayor Lowe moved to appoint Ms. Kimberly Poole, 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 carried.

Mayor Lowe presented for second reading, an application for an On Premise Beer License, On Premise Wine License, Off Premise Beer License and Off Premise Wine License submitted by Heike Horning of Sticks and Stones, LLC dba The Castle Hof located at 502 Martin Luther King Jr. Parkway, Phenix City, Alabama. Mayor Lowe advised that the city received a letter from the owner on November 13, 2020 advising the city that the location for the licenses has changed to 711 13<sup>th</sup> Street. Mayor Lowe asked for a motion to deny the applications as listed at 502 Martin Luther King, Jr. Parkway. Councilmember Gordy moved to deny the applications listed for 502 Martin Luther King, Jr. Parkway, due to the letter received at the city from the owner stating of the location change to 711 13<sup>th</sup> Street, 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 Notice of Claim filed by Greg Davis Law on behalf of Dennis Andrews. Mr. Graham stated that on October 9, 2020 the claim alleges that the Utilities Department had an employee involved in an automobile accident with Mr. Andrews and that the city is responsible for damages incurred. Mr. Graham recommended allowing him to negotiate a settlement that would come back before council at a later date for approval. Councilmember Johnson moved to approve the City Attorney's recommendation to allow himself to negotiate a settlement, 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 Tyquisha Slaughter. Mr. Graham stated that on October 21, 2020 the claim alleges that the City is responsible for damages to the front windshield of a 2015 Nissan Altima belonging to the Claimant. The city attorney further stated that the claim alleges that city workers were mowing on Highway 431 South and a rock flew and hit the windshield and cracked it. City Attorney Graham stated that a memo from the Public Works Department states that a crew was in the area on this day. Mr. Graham recommended paying the claim in the amount of the lowest estimate of \$270.10. Councilmember Gordy moved to approve the City Attorney's recommendation to pay the claim in the amount of the lowest estimate of \$270.10, 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.

Councilmember Day spoke on Phenix City Teamwork among City Department Heads.

Councilmember Johnson advised everyone that the 2020 Christmas Parade has been cancelled.

Councilmember Bailey spoke on the COVID Pandemic and what it means as we go into the Thanksgiving Holiday Season. He wished everyone a Happy Thanksgiving.

City Manager Wallace Hunter complimented the Clerk's Office for the new council books. He also complimented the Department Heads for working well together for the development of Phenix City.

City Manager Wallace Hunter spoke on citizens' service on city boards, and what it means to serve others in this capacity.

Mayor Lowe advised that this is the time of year to be thankful and show gratitude.

Mayor Lowe thanked CTV-Beam for bringing the council meeting to the citizens of Phenix City.

There being no further business to address, the meeting thus adjourned until December 1, 2020.