

**MEETING MINUTES
February 17, 2021**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Wednesday, February 17, 2021 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 Melony Lee.

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

Pastor Keith Badowski with Epworth United Methodist Church delivered the invocation.

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

City Manager Wallace Hunter and Human Resources Director Stephanie Chastain presented employee service recognitions to Joshua Carter - 15 years, Daniel Maddox - 5 years, William Clanton – 25 years, and James A. Langley - 25 years.

Mayor Lowe presented a proclamation recognizing Rakeem Nunez-Roches.

PROCLAMATION

The proclamation was read by City Clerk Melony Lee. Mayor Lowe stated that the official proclamation was delivered to the designated representative selected by the Nunez-Roches family.

Mayor Lowe presented the called meeting minutes of the January 28, 2021 State of the City Address for approval. Councilmember Day 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 Day, Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the February 1, 2021 Work Session and the February 2, 2021 Council 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 a resolution in reference to authorizing the Mayor and City Manager to enter into an agreement with Building & Earth Sciences, Inc. to perform Construction Materials Testing and Special Inspection Services for the addition to the Public Safety Building Project in an amount not to exceed \$15,100.00.

RESOLUTION NO. 2021-23

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 Alabama Power Company to install four (4) APCO leased (LED) fixtures and four (4) Floods 14,500 to 23,000 Lumen Range located at the 1507 5th Street South Police Precinct.

RESOLUTION NO. 2021-24

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 the Mayor and City Manager to renew the contract for Bid Number E20-01 Hot Mix Asphalt Paving and Roadway Improvements at the 2021 contract unit prices to February 28, 2022.

RESOLUTION NO. 2021-25

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 renewing the tax structure of the City of Phenix City, Alabama for the tax year beginning October 1, 2021.

RESOLUTION NO. 2021-26

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 the Mayor and City Manager to enter into a contract with Madison Bloomberg Capital Ventures, LLC for the sale of residential property located at 307 11th Avenue in an amount not to exceed \$4,000.00.

RESOLUTION NO. 2021-27

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 directing the Mayor and City Manager to enter into a contract with Scenic Properties, LLC, for lobbyist services in an amount not to exceed \$8,750.00 annually.

RESOLUTION NO. 2021-28

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 opposing HB 366.

RESOLUTION NO. 2021-29

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 opposing SB 107.

RESOLUTION NO. 2021-30

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 approving the final settlement of a lawsuit filed by State Farm Fire and Casualty Company aso Joseph McCants v. Shawn Jermaine Goodwill and the City of Phenix City, et. al, Case No. 57-SM-2020-900758.00.

RESOLUTION NO. 2021-31

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 entering into a contract agreement with Jackson Thornton Utilities Consultants for two (2) Cost of Service/Rate Studies in 2021 and 2024 in an amount not to exceed \$60,000.00.

RESOLUTION NO. 2021-32

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 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: 311 South Seale Road,

1114 20th Street, and 1015 4th Street South. 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 interested parties could dial (334) 448-2704 and speak with Council. Neither hearing nor seeing anyone come forward, either by phone or by platform ZOOM, 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. 311 South Seale Road

RESOLUTION NO. 2021-33

2. 1114 20th Street

RESOLUTION NO. 2021-34

3. 1015 4th Street South

RESOLUTION NO. 2021-35

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 a resolution in reference to declaring various items of personal property as surplus to be disposed of in the City Landfill.

RESOLUTION NO. 2021-36

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 (1) Roper Refrigerator as surplus to be disposed of in the City Landfill.

RESOLUTION NO. 2021-37

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 sign necessary documents with ADEM to renew permit for the Water Filtration Plant in an amount not to exceed \$4,595.00.

RESOLUTION NO. 2021-38

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 for second reading an application for an Off Premise Beer License and Off Premise Wine License submitted by Rameshchandra Patel and Dashrathbhai Patel for Shree Kana, LLC dba Snack Attack located at 3764 Opelika Road, Phenix City, Alabama. Councilmember Gordy moved to approve the applications, 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 second reading an application for an Off Premise Beer License and Off Premise Whiskey/Wine License (Retail Package Store) submitted by Rameshchandra Patel and Dashrathbhai Patel for Sahjanand, LLC dba Alabama Spirits and Wine located at 3764 C Opelika Road, Phenix City, Alabama. Councilmember Day moved to approve the applications, 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 Notice of Claim filed by Carpenter, Ingram and Mosholder, LLP on behalf of Brianna A. Walker. City Attorney Jimmy Graham stated that on February 4, 2021, a Phenix City Police vehicle collided with Ms. Walker's vehicle and caused damage. City Attorney Graham also stated that upon investigation, the Police vehicle entered the intersection against a green light with lights and siren activated and collided into Ms. Walker's vehicle. City Attorney Graham asked Council to allow him to negotiate a settlement. Councilmember Gordy moved to approve the City Attorney's recommendation to negotiate a settlement, 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 encouraged everyone to follow the guidelines set by the CDC concerning the COVID-19 Pandemic. Councilmember Bailey asked that everyone pray about and consider taking the COVID-19 Vaccine when it becomes available to their age group. Councilmember Bailey stated that just about everyone knows someone who has been affected by the Coronavirus in one way or another. Councilmember Bailey also stated that people have been dying daily for over a year. Councilmember Bailey further stated that wearing a mask, practicing social distancing and being vaccinated would stop the virus but definitely slow down the spread of the virus. Councilmember Bailey stated that we must all do our part and if not for ourselves then for someone else.

Councilmember Day congratulated Rakeem Nunez-Roches and the Tampa Bay Buccaneers for winning the Super Bowl Championship against the Kansas City Chiefs. Councilmember Day stated that playing in a Super Bowl game is a high accomplishment that few are able to reach and he is very proud of Mr. Nunez-Roches. Councilmember Day also stated that he wishes Mr. Nunez-Roches and his family the best. Councilmember Day further

stated that he is proud of all of the athletes from Central High School here in Phenix City that were able to advance to the next level in the arena of sports.

City Manager Wallace Hunter stated that as we celebrate Black History Month, he reflects on the ones who have paved the way for himself and other African Americans in a position of authority today. Mr. Hunter also stated that it was people like Mr. Vernon Jordan, Jr., who pushed through discrimination and obstacles to become a Civil Rights Activist, President of the Urban League and a successful business leader. Mr. Hunter further stated that in the 1980's a sniper shot Mr. Jordan, but thankfully he survived. Mr. Hunter stated that he remembers Mr. Mark Anthony, former Human Resources Personnel Director, who was very encouraging to him early on in his career with the City. Mr. Hunter also stated that we must educate our children and remind them how far we have come as a City. Mr. Hunter further stated that so many have fought and even lost their lives for equality.

Mayor Lowe stated that each day that we awake, is an opportunity to make a difference. Mayor Lowe also stated that we live in a country with a history that may not have been great for all people, but we all have a chance daily to make a change and revamp history.

Mayor Lowe thanked Council, Department Heads, City employees and the Citizens for all working together for the betterment of the City. Mayor Lowe encouraged everyone to be safe and blessed.

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 March 2, 2021.