

**MEETING MINUTES**  
**March 16, 2021**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, March 16, 2021 at 6:00 p.m. at the Martin Idle Hour Park Community Center on 3743 Moon Lake Drive, Phenix City, Alabama. Upon roll call, the following members of Council were present: 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. Councilmember Day was not present.

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

Reverend Doctor Clementine Warren with Hurts Chapel A.M.E. Church delivered the invocation.

Mayor Lowe led the pledge of allegiance to the United States Flag.

Councilmember Day joined the council meeting at 6:02 p.m.

Mayor Lowe presented the regularly scheduled meeting minutes of the March 1, 2021 Work Session 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Bailey. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the March 2, 2021 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Bailey. The motion thus passed.

Mayor Lowe stated there was no unfinished business to address at this time.

Mayor Lowe presented Resolution No. 2021-51 to be ratified in reference to authorizing the Mayor and City Manager to enter into an agreement with W.T. Miller to perform the Asbestos Abatement in the Public Safety Building in an amount not to exceed \$75,621.00.

**RESOLUTION NO. 2021-51**

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 Resolution No. 2021-52 to be ratified in reference to authorizing the Mayor and City Manager to enter into a Local Government Collaborative Agreement with Russell County to make application for the CDBG-CV Grant through ADECA.

**RESOLUTION NO. 2021-52**

Councilmember Johnson 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 in reference to authorizing the Mayor and City Manager to enter into an administrative contract with Lee-Russell Council of Governments in the amount of \$25,000.00 for the administration of the Community Development Block Grant awarded for the Phenix City Blight Removal Project (LR-CE-PF-20-009).

**RESOLUTION NO. 2021-54**

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 Master Professional Services Agreement with LaBella Associates to perform services for the closure of current Underground Storage Tank (UST) Permit with ADEM for property located at 1002 E 280 Bypass in an amount not to exceed \$33,720.00.

**RESOLUTION NO. 2021-55**

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 three (3) Resolutions and Public Notices in reference to setting public hearing dates and fixing demolitions costs associated with the following properties located in Phenix City:

1. 1900 2<sup>nd</sup> Avenue

**RESOLUTION NO. 2021-56**  
**PUBLIC NOTICE**

2. 2013 2<sup>nd</sup> Avenue

**RESOLUTION NO. 2021-57**  
**PUBLIC NOTICE**

3. 323 South Seale Road

**RESOLUTION NO. 2021-58**  
**PUBLIC NOTICE**

Councilmember Day moved to approve the resolutions and public notices, 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 the purchase of one 2021 Ford 250 Super Cab 4x2 Pickup - Model X2A from Stivers Ford Lincoln in an amount not to exceed \$29,583.00.

#### **RESOLUTION NO. 2021-59**

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, City Manager and Chief of Police to sign a yearly maintenance agreement with Vertiv Corporation for software/firmware on battery back-ups at the radio tower site in an amount not to exceed \$4,560.00.

#### **RESOLUTION NO. 2021-60**

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 the purchase of two (2) 2021 Chevrolet Tahoe's from Donohoo Chevrolet in a total amount not to exceed \$74,129.40.

#### **RESOLUTION NO. 2021-61**

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 first reading an Ordinance in reference to authorizing Issuance of the City's \$9,105,000 Subordinated Water and Sewer Revenue Warrant, Series 2021-CWSRF-DL (Partial Principal Forgiveness) and \$925,000 Subordinated Water and Sewer Revenue Warrant, Series 2021-DWSRF-DL.

#### **ORDINANCE NO. 2021-03**

Councilmember Day moved to Dispense with the Reading of the ordinance, 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 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 amend Chapter 34 Floods of the Code of Ordinances of the City of Phenix City, Alabama. Councilmember Day moved to Dispense with the Reading of the ordinance, 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 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. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented two (2) openings on the Historic Preservation Commission. Mayor Lowe stated that current members Elizabeth Richards and Larry Brown are both willing to serve another term. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Elizabeth Richards, 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 called for a motion. Councilmember Johnson moved to reappoint Larry Brown, 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 excused himself from the council meeting.

Mayor Lowe presented one opening for the Alabama League of Municipalities Voting Delegate and one opening for 1<sup>st</sup> Alternate. Mayor Lowe called for nominations for Voting Delegate. Councilmember Bailey nominated Councilmember Johnson as Voting Delegate. There were no other nominations. Mayor Lowe called for a motion. Councilmember Bailey moved to appoint Councilmember Johnson, which motion was second 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: None. The motion thus passed. Mayor Lowe called for nominations for 1<sup>st</sup> Alternate. Councilmember Johnson nominated Councilmember Bailey as 1<sup>st</sup> Alternate. There were no other nominations. Mayor Lowe called for a motion. Councilmember Gordy moved to appoint Councilmember Bailey as 1<sup>st</sup> Alternate which was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented an Itemized Statement of Expense for Councilmember Arthur L. Day Jr., of the City Clerk's Office in the amount of \$18.00. Councilmember Gordy moved to approve the Itemized Statement of Expense, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Johnson, Bailey, Gordy and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion passed.

Councilmember Day returned to the council meeting.

City Attorney Jimmy Graham presented a claim filed by Bence Law Firm on behalf of Barbara Port. City Attorney Jimmy Graham stated that Ms. Port received personal injuries by falling into a sinkhole located at 2728 Summerfield Place due to a City owned drainage pipe. City Attorney Graham stated the claim was previously tabled at the March 2, 2021 Council Meeting to give him an opportunity to contact Bence Law Firm for clarification on Ms. Port's injuries. City Attorney Graham also stated that he spoke with Mr. Bence, the attorney for the claimant, who stated that he would have the medical information within thirty days. City Attorney Graham recommended allowing him to negotiate the settlement. Councilmember Gordy moved to approve the City Attorney's recommendation to allow himself to negotiate the settlement, 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 Greg Davis Law Firm on behalf of Dennis Andrews. City Attorney Jimmy Graham stated that on October 9, 2020, while driving on 16<sup>th</sup> Street, a City Utility vehicle struck a vehicle driven by Mr. Andrews causing damage to the vehicle and physical injuries to Mr. Andrews. City Attorney Graham stated that the claim had previously been approved for negotiation of settlement on November 17, 2020. City Attorney Graham also stated that he has been unable to reach Mr. Greg Davis, the attorney for the claimant. City Attorney Graham further stated that the claim was previously tabled at the March 2, 2021 council meeting to give him an opportunity to contact the Greg Davis Law Firm one more time. City Attorney Graham recommended denying the claim due to not being able to reach Mr. Davis. Councilmember Day moved to approve the City Attorney's recommendation to deny the claim, 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 Resolution No. 2021-53 to be ratified in reference to authorizing the Mayor and City Manager to enter into an agreement with Robinson Paving Company, Inc. to perform emergency work at the Riverwalk located between Troy University and the Railroad trestle in an amount not to exceed \$123,480.00.

### **RESOLUTION NO. 2021-53**

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.

Councilmember Day stated that he had the opportunity to attend the ribbon cutting ceremony of the renovated bridge at the Riverwalk on March 10, 2021. Councilmember Day also stated that the bridge looks great and the safety side rails were a great addition. Councilmember Day thanked Angel Moore, City Engineer, City Manager Wallace Manager and staff. Councilmember Day stated that the contractors did a fantastic job for a reasonable price.

Councilmember Johnson thanked Reverend Doctor Clementine Warren with Hurts Chapel A.M.E. Church for bringing the invocation.

Councilmember Johnson congratulated Mayor Lowe for his induction into the Chattahoochee Valley Community College (CVCC) Hall of Fame. Councilmember Johnson stated that Mayor Lowe was honored on March 11, 2021 along with Smith Station's Mayor Bubba

Copeland and distinguished athlete Michael O'Neal.

Councilmember Johnson stated that March is International Women's Month. Councilmember Johnson also stated that she gives honor to all women who are faced with many challenges daily. Councilmember Johnson further stated that she salutes the women in government including the Mayor of Hurtsboro, Alabama Vivian Covington, female County Commissioners, female Councilmembers, Governor of Alabama Kay Ivy, Speaker of the House Nancy Pelosi, and Vice Present Kamala Harris.

Councilmember Johnson thanked the Citizens of Phenix City for everything that they do to make Phenix City a great place to live, play and worship.

City Manager Wallace Hunter encouraged everyone to be safe as the City prepares for inclement weather over the next few days.

City Manager Wallace Hunter thanked Mr. Bob Franklin with the EMA for working with the City's Public Safety Department and Grant Team and keeping the City informed of the COVID-19 numbers. Mr. Hunter stated that the Russell County Health Department, Walmart and CVS Pharmacies are doing the best that they can to provide the COVID-19 Vaccine.

Councilmember Gordy asked everyone to pray for the family of former Mayor Sammy Howard who recently passed away. Councilmember Gordy stated that Mr. Howard was very involved in the City. Councilmember Gordy stated that Mr. Howard graduated from Central High School, coached at Glenwood and worked at a local bank for many years. Councilmember Gordy advised that Mr. Howard loved Phenix City and did a lot for the community.

Councilmember Bailey commented that the City has lost quite a few prominent members of our community over the past six months. Councilmember Bailey stated that Phenix City has moved forward over the years with the help of those individuals. Councilmember Bailey further stated that it is going to take the current generation to step up and take their places. Councilmember Bailey advised that former Mayor Sammy Howard left some big shoes to fill by City Council and the people in the community.

Mayor Lowe advised that it is very important to lift people up and make a difference in the City. Mayor Lowe stated that the people of Phenix City are depending on Council and Council are depending on the people of Phenix City to do the right thing. Mayor Lowe further stated that at the end of the day, the only thing that matters is what we did to make things better for someone else. Mayor Lowe commented that if you do right by people it will be remembered even when you are gone. Mayor Lowe stated that what we do today will echo into eternity. Mayor Lowe further stated that we all love Phenix City.

City Manager Wallace Hunter commented that he remembers working with former Mayor Sammy Howard before he started working with the City. Mr. Hunter stated that Mayor Lowe is following in the footsteps of Mr. Howard including that they both went to the University of Alabama, worked in a bank, coached football and became the Mayor of Phenix City. Mayor Lowe stated that Mr. Howard hired him at the bank and they worked together for years. Councilmember Bailey stated that Mr. Howard would always put the community first. Councilmember Bailey advised that he did it out of the goodness of his heart and never sought recognition.

Councilmember Day advised on Sunday March 7, 2021 there was a community event at the Asbury Park Subdivision called Stop the Violence. Councilmember Day stated that the event

was spear headed by Mr. Desi Morgan, Sr. Councilmember Day also stated that there were over 200 people in attendance of all ages. Councilmember Day commented that it is going to take the communities coming together to help decrease the gun violence that is going on in our City.

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 April 6, 2021.