

**MEETING MINUTES**  
**May 18, 2021**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, May 18, 2021 at 9:00 a.m. at the Martin Idle-Hour Park Community Center located at 3743 Moon Lake Drive, Phenix City, Alabama 36867. 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.

Reverend Marty Holley of Russell Baptist Association delivered the invocation.

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

Mayor Lowe presented the regularly scheduled meeting minutes of the May 3, 2021 Work Session and the May 4, 2021 Council Meeting 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. ABSTAINS: None. The motion thus passed.

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

Mayor Lowe presented Resolution No. 2021-89 to be ratified in reference to authorizing and directing the Mayor and City Manager to sign an acceptance quote from JWC Environmental for emergency to repair Bar Screen #1 at the Waste Water Treatment Plant in an amount not to exceed \$63,784.28.

**RESOLUTION NO. 2021-89**

Councilmember Gordy moved to ratify 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 the satisfaction of a special assessment on property located at 1605 Opelika Road, William F. Perdue, owner.

**RESOLUTION NO. 2021-90**

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 satisfaction of a special assessment on property located at 227 Seale Road, Bertha Rooks, owner.

**RESOLUTION NO. 2021-91**

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 eleven (11) resolutions in reference to declaring properties a public nuisance and authorizing and directing the Housing Code Abatement Board to take necessary action to demolish, remove and clear all building materials, trash, and debris from the following properties:

1. 1908 10<sup>th</sup> Avenue

**RESOLUTION NO. 2021-92**

2. 1911 10<sup>th</sup> Avenue

**RESOLUTION NO. 2021-93**

3. 2107 12<sup>th</sup> Avenue

**RESOLUTION NO. 2021-94**

4. 1013 15<sup>th</sup> Avenue

**RESOLUTION NO. 2021-95**

5. 1205 16<sup>th</sup> Avenue

**RESOLUTION NO. 2021-96**

6. 1808 25<sup>th</sup> Avenue

**RESOLUTION NO. 2021-97**

7. 119 14<sup>th</sup> Court

**RESOLUTION NO. 2021-98**

8. 805 16<sup>th</sup> Street

**RESOLUTION NO. 2021-99**

9. 1004 2<sup>nd</sup> Street South

**RESOLUTION NO. 2021-100**

10. 1001 4<sup>th</sup> Street South

**RESOLUTION NO. 2020-101**

11. 1004 4<sup>th</sup> Street South

### **RESOLUTION NO. 2021-102**

Councilmember Day moved to approve the resolutions, 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 one (1) 2021 Chevrolet Silverado 1500 4WD Crew Cab Pickup in the amount of \$32,270.10 from Donohoo Chevrolet.

### **RESOLUTION NO. 2021-103**

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 the purchase of one (1) 2021 Ford F150 Regular Cab 4x2 Pickup in the amount of \$29,111.00 from Stivers Ford Lincoln.

### **RESOLUTION NO. 2021-104**

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 authorizing the purchase of two (2) Grasshopper Lawnmowers from Morige, Mfg. Inc. in an amount not to exceed \$20,205.00.

### **RESOLUTION NO. 2021-105**

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 the purchase of two (2) 2021 RAM 1500 REG CAB Pickup Trucks in the amount of \$45,047.88 from Stivers Prattville CD JR, Inc.

### **RESOLUTION NO. 2021-106**

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 personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to William Clanton in recognition of his 25 years of public service.

### **RESOLUTION NO. 2021-107**

Councilmember Johnson 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 0.48 acre of land located at 814 16<sup>th</sup> Avenue from an R-3 Zone (High Density Residential District) to a C-4 Zone (Highway Commercial District), Marcus Mitchell, owner. Mayor Lowe stated that anyone wishing to address Council in reference to the rezoning should come to the Martin Idle-Hour Park Community Center located at 3743 Moon Lake Drive, Phenix City Alabama 36867 and do so at this time. Mayor Lowe also stated that the phone lines were open for anyone wishing to address Council via telephone could dial (334) 448-2719. Neither hearing nor seeing anyone come forward, either by phone or in person, Mayor Lowe declared the public hearing closed.

Mayor Lowe presented for second reading an Ordinance to rezone 0.48 acre of land located at 814 16<sup>th</sup> Avenue from an R-3 Zone (High Density Residential District) to a C-4 Zone (Highway Commercial District), Marcus Mitchell, owner.

### **ORDINANCE NO. 2021-07**

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

Mayor Lowe presented for second reading an ordinance to exempt certain covered items from the municipal sales and use tax during the third full weekend of July, 2021, referred to as the "Back-to-School" Sales Tax Holiday.

### **ORDINANCE NO. 2021-08**

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.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Joseph Noteboom. City Attorney Graham stated that the claim alleges that on March 29, 2021, while driving on 22<sup>nd</sup> Street, Mr. Noteboom drove across an asphalt cut which damaged the alignment of his vehicle. City Attorney Graham recommended paying the claim in the lowest estimate of \$92.41. City Attorney Graham stated that the Utilities Department had crews working on the water and sanitary services in that area prior to March 29, 2021. City Attorney Graham also stated that the asphalt cut has been repaired. Councilmember Gordy moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$92.41, 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, filed by Tommy Jackson. City Attorney Jimmy Graham stated that the claim alleges that on April 14, 2021, while driving on Lonesome Pine Road, Mr. Jackson ran over a pothole and caused damage to his vehicle. City Attorney Graham recommended denying the claim because that particular portion of Lonesome Pine Road is maintained by Russell County and not Phenix City. City Attorney Graham stated that he would reach out to Mr. Jackson and tell him that he needs to file his claim with Russell County. Councilmember Bailey 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.

Mayor Lowe presented a resolution in reference to authorizing the purchase of one 4-Ton Falcon Asphalt Recycler and Hot Box Slip-in from Falcon Asphalt Repair Equipment in an amount not to exceed \$41,619.00.

#### **RESOLUTION NO. 2021-108**

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 thanked City Council, Department Heads and the citizens for being a part of Phenix City.

Mayor Lowe encouraged everyone to lead with integrity and righteousness so that the community will continue to rise above.

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 June 2, 2021.