

**MEETING MINUTES
August 17, 2021**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, August 17, 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 Steve Pace of Summerville Baptist Church delivered the invocation.

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

Mayor Lowe exercised his point of privilege and recognized the birthday of Councilmember Johnson. Mayor and Council wished Councilmember Johnson a happy and blessed birthday.

Mayor Lowe presented a proclamation recognizing Public Safety Week, Public Safety Sunday and Public Safety Day.

PROCLAMATION

Mr. Wayne Anthony with House of Heroes came forward to accept the proclamation.

Mayor Lowe presented the called meeting minutes of the June 28, 2021 Budget Work Session and the July 22, 2021 Budget Public Hearing 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 presented the regularly scheduled meeting minutes of the August 2, 2021 Work Session and the August 3, 2021 Council Meeting for approval. Councilmember Bailey 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 in reference to approving and adopting the proposed budget for the 2021-2022 Fiscal Year.

RESOLUTION NO. 2021-172

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 Alabama Power to install (8) eight black aluminum poles and (8) 65w Colonial LED fixtures in Ivy Creek Subdivision.

RESOLUTION NO. 2021-173

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 adopting an Annual Transportation Plan.

RESOLUTION NO. 2021-174

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 approving a proposed settlement agreement regarding a claim filed by State Farm Mutual Automobile Insurance Company aso Latonya Miller verses Officer Donald Ross and the City of Phenix City, in the amount of \$960.00.

RESOLUTION NO. 2021-175

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 approving the final settlement in the matter of Catarang Properties, LLC verses The City of Phenix City, Case No. 57-CV-2017-900176.00 in the amount of \$10,000.00.

RESOLUTION NO. 2021-176

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 rejecting bids for demolition of the structure and removal of debris from property located at 2000 9th Avenue.

RESOLUTION NO. 2021-177

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 an agreement with Burgess Master Masonry to repair burial plots in Big Pine Grove Cemetery in an amount not to exceed \$39,733.00.

RESOLUTION NO. 2021-178

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 Mayor and City Manager to sign a lease purchase agreement and accept a proposal from Branch Banking and Trust Company, now Truist Bank to purchase equipment for the Engineering/Public Works Department in the amount of \$544,199.44.

RESOLUTION NO. 2021-179

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, City Manager and Chief of Police to enter into an agreement with Motorola Solutions in the amount of \$18,375.00 for Annual Preventative Maintenance.

RESOLUTION NO. 2021-180

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 the Mayor, City Manager and Chief of Police to enter into an agreement with Motorola Solutions in the amount of \$114,622.45.

RESOLUTION NO. 2021-181

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 letter of request from the Planning Commission, Public Notice and Ordinance to rezone 0.67 acre tract of land located at 4104 Summerville Road, from an R-1 Zone to a C-3 Zone, Johnny F. Burell, owner.

LETTER

PUBLIC NOTICE

ORDINANCE

Councilmember Day moved to accept the letter, approve the public notice, and place the ordinance 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 declared that now was the time and place for a public hearing regarding the rezoning of 0.14-acre tract of land located at 219 23rd Street, from an R-2 Zone to a C-3 Zone, Sandra L. Anglin, owner. Mayor Lowe stated that anyone wishing to address Council concerning this ordinance should come forward and do so at this time. Neither hearing nor seeing anyone come forward to address Council, Mayor Lowe declared the public hearing closed.

Mayor Lowe presented for second reading an ordinance to rezone 0.14-acre tract of land located at 219 23rd Street, from an R-2 Zone to a C-3 Zone, Sandra L. Anglin, owner.

ORDINANCE NO. 2021-11

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 for second reading an application for an Off Premise Beer License and Off Premise Wine License submitted by Niyati Patel for Khamlai2014, LLC dba Heap Cheap Food Store located at 612 Fontaine Road, Phenix City, Alabama. Councilmember Johnson moved to approve the application, 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.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Ricky Lowman. City Attorney Jimmy Graham stated that the claim alleges that on July 23, 2021, while driving on 15th Street, Mr. Jackson ran over a pothole and caused damage to his vehicle. City Attorney Graham also stated that the Public Works Department had no prior notice that the patch was failing. City Attorney Graham recommended denying the claim. 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 filed by Embark General Insurance as

subrogee of Brenda Faye Bailey. City Attorney Jimmy Graham stated that on February 26, 2021, while driving on 16th Street an unmarked Phenix City Police vehicle collided with a vehicle owned by Ms. Bailey and caused damage to the vehicle. City Attorney Graham also stated that upon investigation the driver of the City's vehicle was not at fault. City Attorney Graham recommended denying the claim. Councilmember Bailey moved to approve the City Attorney's recommendation to deny the claim, 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 Bailey reflected on the impact that September 11, 2001 had on our nation. Councilmember Bailey thanked the people in Armed Forces, Police Officers, Fire Fighters, First Responders, Animal Control and everyone that watch over us and help keep us all safe. Councilmember Bailey stated that he is grateful to live in a Country where there are people who genuinely care about other people. Councilmember Bailey asked everyone to pray for the people of Afghanistan. Councilmember Bailey stated that it is great to live in a Country where people don't have to fear persecution because of who they are.

Councilmember Johnson thanked the Citizens of District Two for allowing her to serve as their Council Representative. Councilmember Johnson encouraged everyone to be safe and aware of their surroundings. Councilmember Johnson encouraged everyone to love each other as God loves us.

Councilmember Johnson thanked Mayor Lowe for exercising his point of privilege to acknowledge her birthday. Councilmember Johnson thanked everyone for the birthday wishes.

Councilmember Day stated we live in the greatest Country in the world. Councilmember Day also stated that Jesus set the best example in displaying love.

Councilmember Day thanked the Public Safety workers of Phenix City for all that they do to keep our City safe. Councilmember Day asked everyone to keep all Public Safety workers in their prayers.

City Manager Wallace Hunter thanked the Public Safety workers for their loyalty and commitment to the City. Mr. Hunter stated that their sacrifices do not go unnoticed. City Manager reflected on being a firefighter during the time of September 11, 2001. Mr. Hunter thanked Mr. Wayne Anthony for the recognition of Public Safety workers.

Mayor Lowe stated that at the end of the day, it's all about helping others.

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 September 8, 2021.