

**MEETING MINUTES
September 8, 2021**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Wednesday, September 8, 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.

Pastor Don Abrams of Trinity United Methodist Church delivered the invocation.

Mayor Lowe 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 Lisa Williams – 5 years, Angela Harrison - 20 years, Michael Harrison - 20 years, Justin Wiley – 5 years, Donnie Slaughter – 10 years, Jeffery Carter – 15 years, Kaleigh Wells – 5 years and Marlissa Fryer – 10 years.

Mayor Lowe presented the regularly scheduled meeting minutes of the August 16, 2021 Work Session and the August 17, 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 a resolution in reference to authorizing the Mayor and City Manager to sign Change Order Number 1 with Thayer-Bray Construction, LLC to add 58 days to said contract for Hazardous Material Abatement, South Foundation Wall and Unforeseen under slab work at no extra cost.

RESOLUTION NO. 2021-182

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 making application to Alabama Power Company for the Gateway Grant to assist in the placement of two “kayak signs” located at the Phenix City Riverwalk.

RESOLUTION NO. 2021-183

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 awarding a bid to Landmark Grading Company, Inc. for 14th Avenue Park Construction in an amount not to exceed \$160,924.00.

RESOLUTION NO. 2021-184

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 and City Manager to accept a proposal from Jabali Concrete Construction, LLC to replace deteriorated concrete aprons and pads and install an oil and grit separator at Fire Station One in an amount not to exceed \$43,000.00.

RESOLUTION NO. 2021-185

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 a contract agreement with Fuller Fire and Safety for the installation of a fire alarm control system to monitor the elevator in an amount not to exceed \$7,797.00.

RESOLUTION NO. 2021-186

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 declared that now was the time and place for a public hearing regarding an Ordinance to rezone 9.40 acre tract of land located at 921 28th Avenue, from an R-2 Zone to a R-3 Zone, SFC Properties, LLC (Scott Chambers), owner. Anyone wishing to address council regarding this ordinance should come forward now. 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 9.40 acre tract of land located at 921 28th Avenue, from an R-2 Zone to a R-3 Zone, SFC Properties, LLC (Scott Chambers), owner. Councilmember Bailey moved to approve the ordinance. No one seconded said motion. The motion thus failed due to the lack of a second. Councilmember Gordy moved to deny the ordinance, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Gordy, and Mayor Lowe. NAYS: Councilmember Bailey. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented three (3) openings on the Personnel Review Board. Mayor Lowe stated that current members Dimple Davis, Mattie Arrington and Dr. William Brooks are all willing to serve another term. Mayor Lowe called for a motion. Councilmember Gordy moved to reappoint Dimple Davis, Mattie Arrington and Dr. William Brooks, 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 one opening on the Phenix City Planning Commission. Mayor Lowe stated that current member Don Ivy is willing to serve another term. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Don Ivy, 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 first reading an application for an Off Premise Beer License and an Off Premise Wine License submitted by Lawanda Thompson for A matter of Taste, Inc. dba Neighborhood Food Mart located at 3984 Sandfort Road, Phenix City, Alabama. Councilmember Day moved to place the application 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.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by AT&T. City Attorney Graham stated that the claim alleges that on April 23, 2021, a backhoe owned by the City damaged AT&T's cable while repairing a water main break on Bridgewater Circle. City Attorney Graham also stated that upon investigation, the backhoe pulled up a portion of concrete that was stuck to an AT&T cable which removed the insulation from the cable. City Attorney Graham recommended approving the claim in the amount of \$866.85. City Attorney Graham stated that three estimates were not required due to the emergency repair for service to AT&T customers. 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 against the City of Phenix City, filed by Steven Phillips. City Attorney Graham stated that the claim alleges that on June 3, 2021, while driving on 4th Avenue, Mr. Philips was directed by a City worker to take an alternate route causing him to run over an object in the road that caused damage to his vehicle causing it to be inoperable. City Attorney Graham also stated that upon investigation, the Utilities Department was in the area investigating a sanitary main stoppage and had the south bound lane blocked due to the work that was being performed. City Attorney Graham further stated that no accident had been reported to City Workers and no vehicle was reported inoperable in that area on that day. City Attorney Graham recommended denying the claim due to lack of evidence to support the claim. Councilmember Gordy 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.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by

Ray and Glenda Driskell. City Attorney Jimmy Graham stated the claim alleges that on June 3, 2021, Mrs. Driskell noticed that their cast aluminum mailbox was damaged after a City owned limb and debris truck removed limbs near the mailbox. City Attorney Graham also stated that Mrs. Driskell did not see a the limb and debris truck hit the mailbox. City Attorney Graham also stated that upon investigation, the Public Works Department performed services in the area on June 2, 2021. City Attorney Graham further stated that no incident had been reported. City Attorney Graham recommended denying the claim due to lack of evidence to support the claim. 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.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Terri Schade. City Attorney Graham stated that the claim alleges that on August 11, 2021 Ms. Schade's flooring and furniture were damaged due to a plug in her sanitary sewer service. City Attorney Graham also stated that upon investigation the sanitary plug should have been removed when the new saniatary service account was created by Ms. Schade. City Attorney Graham recommended tabling the claim allotting time to meet with Ms. Schade and assess the damage. Councilmember Johnson moved to approve the City Attorney's recommendation to table 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 thanked City employees for their hard work and dedication to the City. Mayor Lowe stated that over ninety years of services was recognized today and is greatly appreciated.

Councilmember Day stated that the City is blessed to have such dedicated employees. Councilmember Day also stated that the City is a great place to work and is hiring for positions in all departments.

Councilmember Day reflected on the events of September 11, 2001. Councilmember Day stated that America will never forget the loss of so many people and the heroism of so many as well. Councilmember Day also stated that the families are still in our prayers.

Councilmember Day stated that we all should treat people the way we want to be treated regardless of whether or not they are different then us. Councilmember Day also stated that there is too much violence and murders going on in our area. Councilmember Day further stated that it will take a lot of prayer and the community coming together to make a difference in our community.

Councilmember Johnson thanked Dr. Janet Goodwin for taking the initiative to highlight local business and residences in the Keep Phenix City Beautiful Campaign. Councilmember Johnson stated that there were three areas in District Two that were spotlighted; Agape Church International, the Vickers Family home and Vectorply Company. Councilmember encouraged all Citizens in District Two and Phenix City to keep Phenix City clean by picking up trash, mowing grass on a regular bases and taking pride in our City.

Councilmember Johnson invited everyone to take part in the Parks and Recreation Department Concert Series. Councilmember Johnson stated that she enjoyed Isiah Sharkey and the Breakfast Club that performed on September 4, 2021. Councilmember Johnson also stated that some of the concerts are free of charge and the others are only \$10.00. Councilmember

Johnson further stated that all of the concerts are outside at the Art Park located near the Marriot hotel on Whitewater Avenue and the walking bridge.

Councilmember Bailey stated that the Covid-19 Pandemic numbers continue to rise. Councilmember Bailey encouraged everyone to be safe, continue to practice social distancing, and wear a mask when possible when out in public. Councilmember Bailey also encouraged everyone to pray for each other and help each other out when you can.

Councilmember Bailey stated that our Country has grown stronger as of the result of the attack on September 11, 2001. Councilmember Bailey also stated that we live in the greatest Country in the world where you can disagree and still get along. Councilmember Bailey encouraged everyone to continue to pray and support our firefighters, police department, highway patrollers, first responders, medical personnel, military and all who serve and protect our freedom.

City Manager Wallace Hunter stated that he was Fire Chief on September 11, 2001. Mr. Hunter reflected on all the effects that were happening to our Country and personally during that time. Mr. Hunter stated that many people lost their loved ones and children were placed in a position to grow up without a parent. Mr. Hunter also stated that so much has changed in Public Safety since that day. Mr. Hunter encouraged everyone to continue to pray for the families of the fallen and that their sacrifices will never be forgotten by himself or our Country.

City Manager Wallace Hunter reminded everyone that Mayors and City Council members throughout the State of Alabama have an extra year added to their current term. Mr. Hunter stated that the new state law moved municipal elections off the same year as presidential and county elections. Mr. Hunter also stated that the five-year term is a one-time occurrence. Councilmember Bailey stated that voting can sometimes be confusing with the presidential, state, city and county election. Councilmember Bailey stated that separating the municipal election should help keep confusion down especially if you vote in one place for one election and another place for other elections.

City Manager Wallace Hunter thanked City Council, Department Heads and City employees for all that they do for Phenix City.

Mayor Lowe stated that it is always good to look back and see how far God has brought us. Mayor Lowe also stated that we have so much to be thankful for. Mayor Lowe further stated that the past can set a mold for the future.

Mayor Lowe thanked the Department Heads, City employees, City Manager and City Council for their hard work and dedication to the 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 September 21, 2021.