

**MEETING MINUTES
September 21, 2021**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, September 21, 2021 at 6:00 p.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 Robert Goodman, Summerville Baptist Church delivered the invocation.

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

Mayor Lowe presented a proclamation recognizing 2020 Gold Medal Olympian Amber English.

PROCLAMATION

Amber English came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the September 7, 2021 Work Session and the September 8, 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 accepting the dedication of land, right-of-ways and easements dedicated by the Administrative Replat 0.49 +/- acres at 1103 14th Street and 1108 13th Street, Sharpe Real Estate, LLC., owner.

RESOLUTION NO. 2021-187

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 Satisfaction of a Special Assessment on property located at 500 7th Avenue.

RESOLUTION NO. 2021-188

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 527 6th Place.

RESOLUTION NO. 2021-189

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 all bids received for uniforms.

RESOLUTION NO. 2021-190

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 budget transfers for the 2020-2021 Fiscal Year.

RESOLUTION NO. 2021-191

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 presented four (4) 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. 1908 10th Avenue

RESOLUTION NO. 2021-192
PUBLIC NOTICE

2. 1911 10th Avenue

RESOLUTION NO. 2021-193
PUBLIC NOTICE

3. 2107 12th Avenue

RESOLUTION NO. 2021-194
PUBLIC NOTICE

4. 805 16th Street

RESOLUTION NO. 2021-195
PUBLIC NOTICE

Councilmember Gordy moved to approve the resolutions and public notices, 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 accept a proposal from Truist Bank (Branch Banking and Trust Company) to finance the CCTV Inspection System with IBAK Lateral Launch at an interest rate of 1.34%.

RESOLUTION NO. 2021-196

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 presented a resolution in reference to rescinding Resolution No. 2021-179 in reference to a lease purchase agreement with Truist Bank (Branch Banking and Trust) for the Public Works Department.

RESOLUTION NO. 2021-197

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 and directing the Mayor, City Manager and Chief of Police to enter into an agreement for the administration of grant funds through the SEARHSO-ESCC-Community Traffic Safety Program from October 1, 2021 through September 30, 2022.

RESOLUTION NO. 2021-198

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 declaring property and evidence surplus to be sold to the highest bidder at a public auction.

RESOLUTION NO. 2021-199

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 presented a resolution in reference to declaring property and evidence surplus to be disposed of at the landfill or destruction at the Phenix City Police Department Training Facility.

RESOLUTION NO. 2021-200

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 making application to authorizing and directing the Mayor, City Manager and Utilities Director to sign an agreement with CEDARCEM, LLC to extend the current contract for Zinc-Orthophosphate thru September 30, 2022.

RESOLUTION NO. 2021-201

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 eight (8) resolutions in reference to awarding bids for chemicals to the following companies:

1. Aluminum Sulfate (Dry) – C&S Chemicals - \$0.159/dry lb.

RESOLUTION NO. 2021-202

2. Dry Polymer – Cedarchem, LLC - \$2.07/lb.

RESOLUTION NO. 2021-203

3. Granular Soda Ash – Harcros Chemical, Inc. - \$0.1739/dry lb.

RESOLUTION NO. 2021-204

4. Hydrofluosilicic Acid – Harcros Chemical, Inc. - \$0.91304/dry lb.

RESOLUTION NO. 2021-205

5. Liquid Chlorine – Brenntag Mid-South, Inc. - \$1,440.00/ton

RESOLUTION NO. 2021-206

6. Liquid Polymer – Brenntag Mid-South, Inc. - \$1.40/lb.

RESOLUTION NO. 2021-207

7. Poly Aluminum Chloride – Cedarchem, LLC. - \$0.218/lb.

RESOLUTION NO. 2021-208

8. Sulfur Dioxide – Brenntag Mid-South, Inc. - \$1,100.00/ton

RESOLUTION NO. 2021-209

Councilmember Gordy moved to approve the resolutions, 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 0.67-acre tract of land located at 4104 Summerville Road, from an R-1 Zone to a C-3 Zone, Johnny F. Burrell, owner. Anyone wishing to address council regarding this ordinance should come forward now. The following people came forward to address Council:

Johnny Burrell, 1111 Lee Road 605, Smiths Station Alabama, came forward to address Mayor and Council. Mr. Burrell stated that he is the owner of the property located at 4104 Summerville Road. Mr. Burrell asked Mayor and Council if they would consider allowing the property to be rezoned from an R-1 Zone to a C-3 Zone. Mr. Burrell stated the rumors are not true, his daughter, Sheri Burrell Nishimura, will not be opening up a Japanese Massage Pallor but a respectable business that would be a benefit to the City. Mr. Burrell also stated that the business would not have a great impact on the traffic no more than what is already present on Summerville Road. Mr. Burrell further stated that his daughter is a licensed occupational therapist with over twenty years of experience and is a certified personal trainer, a certified health coach and a certified massage therapist. Mr. Burrell stated that the exterior of the house will not change and will still have the residential appearance. Councilmember Johnson asked Mr. Burrell if he has ever lived at the property. Mr. Burrell stated that he has lived in the area on 26th Street but never at 4104 Summerville Road. Mr. Burrell stated that he retired from the military and decided to make Phenix City his home because he saw the potential in the growth of Phenix City. Councilmember Johnson asked Mr. Burrell how long has he had the property what was his reason for purchasing the home. Mr. Burrell stated that he purchased the property for his daughter. Councilmember Bailey asked Mr. Burrell if the property purchased for business or personal usage. Mr. Burrell stated that to his and his daughter's understanding, that because the property was in close proximity of another commercial property in a residential area, it can also be rezone from residential to commercial. Mr. Burrell stated that there is a need for this type of business in Phenix City. Mayor Lowe stated that he is appalled by the rumors of the business being called a Japanese Massage Pallor. Mayor Lowe also stated that Phenix City is better than that and if people are saying these things, it need to stop. Mr. Burrell thanked Mayor and Council for listening. Mayor Lowe thanked Mr. Burrell for coming to speak with Council.

Julie McDonald, 21 Cedar Ridge Drive, Fortson, Georgia came forward to address Mayor and Council. Ms. McDonald stated that she has been a client of Sheri for many years. Ms. McDonald also stated that she suffered from chronic pain issues. Ms. McDonald further stated that she has spent time and money on procedures, doctor's visits and specialist visits but none were successful until she met Sheri. Ms. McDonald stated that she was happy to finally get some pain relief. Ms. McDonald advised Mayor and Council if it would be nice to have someone in this area that specializes in pain relief. Ms. McDonald recalled a time that her neighborhood fought against a rezoning as well. Ms. McDonald stated that her neighborhood fought against an assisted living home and won. Ms. McDonald also stated that the business that was allowed to rezone in the neighborhood was far worse than an assisted living. Councilmember Bailey asked Ms. McDonald if she was a current patient of Sheri. Ms. McDonald answered yes. Ms. McDonald stated that Sheri's business is presently a mobile service and she has been able to continue with her pain relief regimen. Mayor Lowe thanked Ms. McDonald for coming to speak with Council.

Pastor Robert Goodman, 2208 45th Street, Phenix City, Alabama came forward to address Mayor and Council. Pastor Goodman stated that he has nothing against Ms. Nishmura or her business but it's the location that concerns him and the people in his neighborhood. Pastor Goodman also stated that there would be no question of rezoning if their 4104 Summerville Road property did not boarder 4200 Summerville Road, which was rezoned to Commercial Property for emergency reasons. Pastor Goodman also stated that there are plenty of other places in the City that would be a great location for Ms. Nishmura's business; however, 4104 Summerville Road will not benefit the neighborhood. Pastor Goodman asked Mayor and Council to help preserve this area of Summerville Road as residential. Pastor Goodman stated that the commercial door floodgates would open and take over the neighborhood if the property was rezoned to commercial. Mayor Lowe thanked Pastor Goodman for coming to speak with Council.

Dr. Joshua Elders, 150 Village Parkway, Waverly Hall, Georgia, came forward to address Mayor and Council. Dr. Elders thanked Mayor and Council for allowing him to speak on behalf of Sheri Nishimura. Dr. Elders stated that he is a former coworker of Sheri while they worked in Ft. Benning, Georgia. Dr. Elder stated that in his opinion, Sheri is the best in her field and comes highly recommended. Dr. Elders also stated that if approved, her business would be the only one of its kind in the area. Mayor Lowe thanked Dr. Elders for coming to speak with Council.

Kathy Weaver, 2507 Brookwood Circle, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Weaver stated that she is a retired educator from Phenix City and Sheri was one of her finest students. Ms. Weaver recalled a time when she was growing up in Phenix City and was able to ride her bicycle in neighborhoods that are now commercial businesses. Ms. Weaver stated that times have changed and Phenix City has grown. Ms. Weaver also stated that Sheri's business would add to that growth. Mayor Lowe thanked Ms. Weaver for coming to speak with Council.

Amanda Hamrick, 98 Lee Road 318, Smiths Station, Alabama, came forward to address Mayor and Council. Ms. Hamrick stated that she has known Sheri since high school and would like to speak on her behalf. Ms. Hamrick also stated that she is a nurse at the John B. Amos Cancer Center and believes that a lot of people would benefit from Sheri's services. Ms. Hamrick

further stated that 4104 Summerville Road would be a perfect location for Sheri's business because it will be located off of the Highway. Ms. Hamrick stated that she believes that clients from Columbus, Harris County and Ft. Benning, Georgia, will also utilize her services and the location would be easier for them to find. Ms. Hamrick also stated this is an excellent opportunity for the growth of Phenix City. Mayor Lowe thanked Ms. Hamrick for coming to speak with Council.

Sheri Burrell Nishimura, 2415 Canter Drive, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Nishimura stated that health care has always been her passion. Ms. Nishimura also stated that when she decided to open a business of her own, she looked at other places and communities but felt that 4104 Summerville Road was the perfect location. Ms. Nishimura explained what services will be offered at her business if approved by Council. Ms. Nishimura also stated that she researched the City's Comprehensive Plan and the zoning instructions. Ms. Nishimura read the portion of the zoning instructions that states that a Neighborhood Commercial District encourages relatively small retail or service business that would service the community. Ms. Nishimura stated that her business fits the description. Ms. Nishimura also stated that she has a unique business and the City as a whole will benefit from it. Ms. Nishimura further stated that she may only have two to four clients at a time which will have little impact on the traffic flow. Ms. Nishimura thanked her supporters that spoke on her behalf. Ms. Nishimura asked Mayor and Council to consider rezoning the property from residential to commercial. Councilmember Bailey stated that he understands how important it is to own a business instead of renting out a space for a business. Councilmember Bailey stated that his father did the same thing for him with the car lot years ago. Councilmember Bailey also stated that the City's Comprehensive Plan dates back to 2014. Councilmember Bailey further stated that the Riverchase Drive area is where the potential for commercial growth should be and not a residential area. Councilmember Bailey further stated that if this business is allowed in the area, it opens the doors for other businesses to open next to it or around the property, causing the area to be more commercial than ever intended. Ms. Nishimura explained that to her understanding the Comprehensive Plan states that a medical facility or business should be located near Jack Houston Hospital. Councilmember Bailey agreed and reiterated the fact that Riverchase Drive is also near the hospital. Councilmember Johnson asked Ms. Nishimura about the number of her clientele and how is she currently able to service them without having a central location. Ms. Nishimura stated that her business is currently mobile for existing clients. Ms. Nishimura also stated that at this time, she is not able to see new clients because of the pandemic, location and safety reasons. Councilmember Johnson inquired about when the adjacent property to 4104 Summerville Road rezoned from residential to commercial. City Manager Wallace Hunter stated it was rezoned around 1986. Mr. Hunter also stated that he understands the intent of the Comprehensive Plan and also that a City may change direction over time. Mr. Hunter also stated that the direction of a City may change due to a change in leadership. Mr. Hunter further stated that this Council may vote one way and the next Council may vote another way and change the course. Councilmember Gordy thanked Ms. Nishimura for sharing her vision and wanting to bring it to Phenix City. Councilmember Gordy stated that as a healthcare professional and business owner he wants to see her succeed. Councilmember Gordy also stated that this decision has not been easy for himself or anyone on Council but they must do what is best for the City. Mayor Lowe thanked Ms. Nishimura for coming to speak with Council.

Ricky Thornton, 4021 28th Avenue, Phenix City, Alabama, came forward to address Mayor and Council. Mr. Thornton asked if a property was rezoned from residential to commercial is it possible to go back to residential if the business moves. Gil Griffith, Chief Building Official stated that if a residential property becomes a commercial property it cannot return to residential once it has been rezoned to commercial. Mayor Lowe thanked Mr. Thornton for coming to speak with Council.

Mark Sanders, 1700 Magnolia Place, Phenix City, Alabama, came forward to address Mayor and Council. Mr. Sanders stated that he lives across the street from 4104 Summerville Road. Mr. Sanders also stated that to his understanding, the commercial property at 4200 Summerville Road was rezoned solely as a hardship case many years ago and not to change the structure of the area from residential to commercial. Mr. Sanders further stated it is one of two commercial lots from the bridge to Lee County. Mr. Sanders stated that he has spoken to several people in the neighborhood who are either retired or near retirement age and they all agree that the property should not be rezoned from residential to commercial. Mr. Sanders asked council if their residential area could stay a residential area. Councilmember Johnson asked if the property at 4104 Summerville Road did not touch a C-3 commercial property would it qualify to be rezoned. Gil Griffith, Chief Building Official, stated that because the residential property touches the commercial property it is the only reason it could even be considered for rezoning. Mayor Lowe thanked Mr. Sanders for coming to speak with Council.

Jean Whitaker, 4100 Summerville Road and 4102 Summerville Road, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Whitaker stated she has been a part of this neighborhood since the 1940's and honestly, she is not ready for the neighborhood to change. Ms. Whitaker asked Mayor and Council to deny the rezoning. Mayor Lowe thanked Ms. Whitaker for coming to speak with Council.

Lester Thornton, 1701 Magnolia Place, Phenix City, Alabama, came forward to address Mayor and Council. Mr. Thornton stated that he thinks Ms. Nishimura's business would be a great business to bring to Phenix City just not to their neighborhood. Mr. Thornton also stated that he believes that Sheri would be the first of many more businesses to come in that area. Mr. Thornton asked Mayor and Council to deny the rezoning, Mayor Lowe thanked Mr. Thornton for coming to speak with Council.

Walter Adams, 1711 Magnolia Place, Phenix City, Alabama, came forward to address Mayor and Council. Mr. Adams thanked everyone who came out to support the denial of the rezoning of 4104 Summerville Road. Mr. Adams stated that he and his wife went from door to door in the neighborhood and obtained 292 names of residents in the area who were not in favor of the rezoning. Mr. Adams also stated that it is not anything against Sheri or her business. Mr. Adams further stated that Phenix City would greatly benefit from Sheri's services but he does not believe that this location on Summerville Road is the best choice. Mr. Adams asked Mayor and Council if they would consider the concerns of the 292 Citizens who signed the petition to deny the rezoning of the property. Mayor Lowe thanked Mr. Adams for coming to speak with Council.

Neither hearing nor seeing anyone else come forward to address council, Mayor Lowe declared the public hearing closed. Mayor Lowe thanked everyone that came out to tonight's Council meeting. Mayor Lowe stated that he is grateful that everyone spoke respectfully.

Mayor Lowe presented for second reading an 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. Councilmember Bailey moved to deny 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, Bailey, Gordy, and Mayor Lowe. NAYS: Councilmember Johnson. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented an application for conditional use approval submitted by Mike Bowden to use property located at 507-B Dillingham Street as an Insurance Agency.

LETTER

Councilmember Day 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.

Mayor Lowe presented for second reading an application for an Off Premise Beer License and 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 Gordy moved to approve the application, 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 Eudonus Thomas. City Attorney Jimmy Graham stated that the claim alleges that on August 1, 2021, while traveling northbound on Seale Road, a car owned by Mr. Thomas ran over a cut in the road and caused damage to the front passenger tire of the vehicle. City Attorney Graham also stated that upon investigation, the asphalt truck was at the dealership for repairs at the time of the incident. City Attorney Graham recommended paying the claim in the lowest estimate of \$280.21. Councilmember Day moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$280.21, 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 Lucy Patterson Jones. City Attorney Graham stated that the claim alleges that on March 3, 2021, while traveling southbound on Opelika Road, a limb fell from a City's truck, struck Ms. Jones' vehicle and caused damage to the right head light. City Attorney Graham also stated that upon investigation, the Public Works Department was working in the area picking up limb and debris with a grab-all truck when a limb fell and struck the vehicle as Ms. Jones drove past the truck. City Attorney Graham recommended paying the claim in the lowest estimate of \$3,596.63. Councilmember Gordy moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$3,596.63, 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 previously tabled 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, Building Inspector Gil Griffith, Graduate Engineer John Spraggins, Utilities Director Charles Woody and himself visited Ms. Schade's home to assess the damages caused directly by the flooding. City Attorney Graham recommended approving the claim in the amount of \$5,709.65. Councilmember Johnson moved to approve the City Attorney's recommendation to pay the claim in the amount of \$5,709.65, 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 accept a proposal from Proshot Concrete, Inc. for emergency work to repair and reopen road along River Oak Way and 40th Street in an amount not to exceed \$59,120.00.

RESOLUTION NO. 2021-210

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 and directing the Mayor and City Manager to sign an agreement with ALDOT for the bridge replacement on Seale Road over Cochgalechee Creek (BIN #004291 Project #STPPC-5717).

RESOLUTION NO. 2021-211

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.

Councilmember Bailey thanked everyone for coming to tonight's Council meeting and stated that they are welcome to attend anytime. Councilmember Bailey stated that City Council is transparent and open to the community. Councilmember Bailey also stated that City Council tries to be consistent and do what is best for Phenix City. Councilmember Bailey stated that the meetings may be on Zoom due to the Pandemic but all are welcome.

Councilmember Day thanked Parks and Recreation for bringing back some entertainment to the City. Councilmember Day stated that he enjoyed the Concert Series they he recently attended at the Art Park.

City Engineer Angel Moore stated that the Public Works Department has received numerous complaints from Citizens about limbs and debris not being picked up on the same day as their trash pick up. Ms. Moore asked everyone to be patient with the City's Departments and City's Workers because tasks are completed at a slower rate. Ms. Moore stated that some of the

City's Departments are working on skeleton crews for various reasons. Ms. Moore also stated that the Public Works Department has over twenty positions that need to be filled. Ms. Moore further stated that they are doing the very best that they can to fulfill all service requests, fix pot holes, mow grass, and pick up limbs, debris and items on the side of the road. Ms. Moore asked everyone to be patient during these trying times.

Angel Moore, City Engineer, stated that the City was awarded the Rebuild Alabama Act Grant that will be used to help fund the resurfacing of Dobbs Drive. Ms. Moore stated that the \$250,000.00 grant will not cover the entire project but it will be a tremendous help.

City Manager Wallace Hunter stated that he never thought that he would see a time that people did not want to work. Mr. Hunter stated that the Pandemic has affected not just Phenix City but the entire Country.

City Manager Wallace Hunter stated that City Council has Phenix City's best interest in mind and will always try to stay consistent in decision making. Mr. Hunter also stated that he believes Phenix City will benefit from a business like Ms. Nishimura's business. Mr. Hunter encouraged Ms. Nishimura to stay positive and reach out to the City's Economic Development Department for assistance in maybe finding another location for her business.

City Manager Wallace Hunter asked everyone to please have patience and understanding as we go and grow through this pandemic together.

Mayor Lowe thanked everyone for coming out to tonight's Council Meeting. Mayor Lowe stated everyone conducted themselves decently and the meeting remained in order. Mayor Lowe also stated that people will have disagreements, but it is how we handle the situation when we disagree that counts. Mayor Lowe further stated that Council made the decision to hold the meeting in person and not by Zoom Video Conference so that everyone would have an opportunity to voice their opinion in person.

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 October 5, 2021.