

**MEETING MINUTES
November 2, 2021**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, November 2, 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 was not present to deliver the invocation. Councilmember Day delivered the invocation.

Councilmember Day 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 Christopher Wade – 5 years, Brittany Smith - 10 years, Shaun Culligan - 10 years, and Thomas Pell – 15 years.

Mayor Lowe presented the regularly scheduled meeting minutes of the October 18, 2021 Work Session and the October 19, 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 and enter into a contract with Sin City Lofts, LLC to purchase property located at 1209 and 1211 7th Avenue in an amount not to exceed \$470,000.00.

RESOLUTION NO. 2021-230

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 Alabama Power to install (1) 53w Roadway fixture on 16th Avenue on Pole # 6-048851.

RESOLUTION NO. 2021-231

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 Alabama Power to install (1) 53w Phillips fixture at 4907 Summerville Road.

RESOLUTION NO. 2021-232

Councilmember Bailey 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 the final settlement in the matter of a claim filed by State Farm and Casualty Company v. Joshua Geiger and the City of Phenix City, et al in the amount of \$3,616.00.

RESOLUTION NO. 2021-233

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 filing an application with ALDOT for funding assistance from the Alabama Transportation Rehabilitation and Improvement Program – II (ATRIP-II) for Street Lighting and Fiber Installation Upgrades along U.S. Hwy. 280 from South Railroad Street to US-431 S.

RESOLUTION NO. 2021-234

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 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. 1013 15th Avenue

RESOLUTION NO. 2021-235
PUBLIC NOTICE

2. 1205 16th Avenue

RESOLUTION NO. 2021-236
PUBLIC NOTICE

3. 119 14th Court

RESOLUTION NO. 2021-237

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 declared that now was the time and place for a public hearing in reference to the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon properties located at: 1004 2nd Street South, 1004 4th Street South, and 1001 4th Street South. Mayor Lowe stated anyone wishing to address council on any of the properties should come forward and do so at this time. Mayor Lowe also stated that the phone lines were open for anyone wishing to address council on any of the properties. Mayor Lowe further stated that interested parties could dial (334)448-2718 to speak with Council. Ms. Martina Robbins called in concerning 1004 4th Street South. Ms. Robbins stated that she objects to the demolition of the structure. Ms. Robbins asked if there was anything that Council could do to stop the demolition. Mayor Lowe stated that Council spoke to Ms. Robbins a few months ago at a work session and explained that at that point, the demolition process could not be stopped. Mayor Lowe stated that the public hearing gives citizens the opportunity to speak before Council to voice their concerns but it does not stop the demolition process. Mayor Lowe thanked Ms. Robbins for calling in to speak with Council. Neither hearing nor seeing anyone else come forward, Mayor Lowe declared the public hearing closed.

Mayor Lowe presented three (3) resolutions in reference to the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of special assessments upon properties located at:

1. 1004 2nd Street South

RESOLUTION NO. 2021-238

2. 1004 4th Street South

RESOLUTION NO. 2021-239

3. 1001 4th Street South

RESOLUTION NO. 2021-240

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 presented a resolution in reference to authorizing the Phenix City School System to partner with Pyrotechnico to perform a firework display (with NO BOOM) at Garrett-Harrison Stadium during the remainder of the 2021 Football Season starting November 5, 2021.

RESOLUTION NO. 2021-241

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 Change Order Number 1 with Oracle Elevator in the amount of \$3,800.00 to perform elevator jack replacement work at the Public Safety Building over a weekend to avoid disruption during normal business hours.

RESOLUTION NO. 2021-242

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 authorizing and directing the Mayor and City Manager to sign and enter into a contract agreement with the Phenix City Housing Authority for Professional Services.

RESOLUTION NO. 2021-243

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 a resolution in reference to authorizing the Mayor and City Manager to sign a proposal with GTEC (Geotechnical Testing & Environmental Consultants) for geotechnical borings and environmental assessment for wetlands for the Saddlebrook Sewer Upgrades project in an amount not to exceed \$8,900.00.

RESOLUTION NO. 2021-244

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 authorizing the Mayor and City Manager to sign and enter into a 3-year agreement with Denali Water Solutions to haul biosolids from the Wastewater Treatment Plant.

RESOLUTION NO. 2021-245

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 Letter of Request from the Planning Commission, Public Notice and Ordinance to rezone 0.47 acres of land located at 3100 South Railroad Street, from A-O Zone to a C-3 Zone, (Catarang Properties, LLC), 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.

City Attorney Jimmy Graham presented a previously tabled claim against the City of Phenix City, filed by Willie H. McCall for property damage. City Attorney Jimmy Graham recommended tabling the claim again, until the November 16, 2021 council meeting, giving the appropriate department time to investigate and submit a memorandum of explanation. Councilmember Day moved to approve the City Attorney's recommendation to table the claim until the next council meeting, 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 Keierra Moffett. City Attorney Graham stated that the claim alleges that on September 7, 2021, while driving on 14th Avenue, Ms. Moffett ran over a pothole and caused damage to her vehicle. City Attorney Graham recommended paying the claim in the lowest estimate of \$1,525.50. City Attorney Graham stated that the Public Works Department had prior knowledge of the pothole but was unable to repair it before September 7, 2021. Councilmember Gordy moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$1,525.50, 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 Kenneth Ingram. City Attorney Graham stated that the claim alleges that on September 29, 2021, while driving on Lee Road 500(Mimosa Road), Mr. Ingram ran over a pothole and caused damage to his vehicle. City Attorney Graham recommended paying the claim in the lowest estimate of \$174.12. City Attorney Graham stated that the Public Works Department had prior knowledge of the pothole but was unable to repair it before September 29, 2021. Councilmember Gordy moved to approve the City Attorney's recommendation to pay the claim in the lowest estimate of \$174.12, 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 spoke on his recommendation for the last two claims that were presented before Mayor and Council. City Attorney Graham stated that the City is not being negligent in repairing potholes; but repairs may be delayed due to a shortage in the work force.

City Manager Wallace Hunter thanked City Attorney Jimmy Graham for bringing up the City's workforce shortage. Mr. Hunter stated that there are several jobs available throughout the City. Mr. Hunter also stated that the City is a great place to work with competitive salaries and a good retirement program. Mr. Hunter encouraged job seekers to contact the Human Resources Department for more information. Mr. Hunter recalled the time that City Attorney Graham worked at the City as a dispatcher. Mr. Hunter stated that there is plenty of opportunity for growth in a career with the City of Phenix City.

City Manager Wallace Hunter thanked City employees for their hard work and dedication to the City.

Mayor Lowe encouraged everyone to be a lifter and not a leaner.

Mayor Lowe asked that God continue to bless us all, individually and collectively.

Mayor Lowe thanked CTV-Beam for bringing the council meeting to the citizens of Phenix City, Alabama.

There being no further business to address, the meeting thus adjourned until November 16, 2021.