

**MEETING MINUTES
November 16, 2021**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, November 16, 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 with Trinity United Methodist Church delivered the invocation.

Mayor Lowe led the Pledge of Allegiance to the United States Flag.

Mayor Lowe presented a proclamation recognizing Alabama Farm-City Week.

PROCLAMATION

Jennifer Davidson with the Alabama Extension Office came forward to accept the proclamation.

Mayor Lowe presented a proclamation recognizing Arbor Day.

PROCLAMATION

Jennifer Davidson with the Alabama Extension Office came forward to accept the proclamation on behalf of the Phenix City Tree Commission.

Mayor Lowe presented the regularly scheduled meeting minutes of the November 1, 2021 Work Session and the November 2, 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 approving the final settlement in the matter of a lawsuit filed by Anthony Gilliam and Richard Gilliam vs. The City of Phenix City, Alabama, Case No. 57-CV-2019-900302.00 in the amount of \$45,000.00.

RESOLUTION NO. 2021-246

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 Alabama Act 2021-297 regarding annual report of revenue collected within the police jurisdiction.

RESOLUTION NO. 2021-247

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 rescinding Resolution No. 2021-234 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 US-431 S.

RESOLUTION NO. 2021-248

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 Connectivity Improvements along U.S. Hwy. 280 from Pierce Road to US-431 South.

RESOLUTION NO. 2021-249

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 sign all grant agreements, assurances, and certifications as required by the Alabama Power Foundation Gateway Grant.

RESOLUTION NO. 2021-250

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 accepting permanent Water and Sewer Easements on Lots 7, 8, and 9 in Russell Village Commercial Park Subdivision, Charles E. Dunn Investments, LLC, owner.

RESOLUTION NO. 2021-251

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 and City Manager to sign a contract with Daechang Seat Corp. USA for the sale of property (22 acres more or less) located at Phenix Industrial Park, 23 Downing Drive in an amount not to exceed \$484,000.00.

RESOLUTION NO. 2021-252

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 declaring various personal items as surplus to be disposed of at the city landfill.

RESOLUTION NO. 2021-253

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 and City Manager to sign and enter into a proposal agreement with Wright Engineering, LLC for design and technical drawings at the North end of the Phenix City Riverwalk in an amount not to exceed \$12,000.00.

RESOLUTION NO. 2021-254

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 one non-working water fountain as surplus to be disposed of at the city landfill.

RESOLUTION NO. 2021-255

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 an agreement with Alabama Power Company to allow the City to temporarily hang holiday lighting on power poles owned by APCO during the 2021 Christmas Season.

RESOLUTION NO. 2021-256

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 (10) ten 2022 Ford Explorer Patrol vehicles purchased under State Contract T191L from Stivers Ford Lincoln, Montgomery, Alabama in the total amount of \$321,050.00.

RESOLUTION NO. 2021-257

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 an application for an On Premise Beer License and On Premise Wine License, On Premise Whiskey/Wine License, Dancing with a Live Band and Dancing with a Juke Box License submitted by Christina Williams for Giovanna's Pizzeria and Restaurant located at 1600 A Broad Street, 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 previously tabled claim against the City of Phenix City, filed by Willie H. McCall for property damage caused by the flooding of a drainage ditch. City Attorney Graham stated that the claim was tabled twice, allowing time for a thorough investigation from the proper department. City Attorney Graham recommended denying the claim due to the Public Works Department plans to install an HDPE pipe in the ditch to prevent future erosion. 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 Teronda Pettway. City Attorney Graham stated that the claim alleges that on May 31, 2021, while walking on the Meadowlane Park walking trail, Ms. Pettway stepped in a crack, fell and caused a bone to crack in her ankle. City Attorney Graham recommended tabling the claim 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, 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 thanked the Veterans of the armed forces and their families for all the sacrifices they have made for our Country. Councilmember Bailey stated that the families who stand behind those in uniform are just as much important and their sacrifices are appreciated as well.

Councilmember Bailey thanked City Council, Department Heads and all City Employees for all that they do for the day-to-day operation of the City. Councilmember Bailey stated that it makes Council's job a little easier to have dependable and dedicated people working for the City. Councilmember Bailey gave a special thank you to the Police Department, Fire Fighters, and the entire Emergency Response Team, for standing on the front line in protection of the City.

Councilmember Bailey stated that with Thanksgiving coming up, we have so much to be thankful for and going through the Covid-19 Pandemic a year later. Councilmember Bailey also stated that things have gotten better and slowly going back to normal prior to the epidemic. Councilmember Bailey thanked God for watching over us, guiding us and granting us with peace and comfort. Councilmember Bailey thanked everyone for living in and loving Phenix City.

Councilmember Johnson stated that she agrees with Councilmember Bailey, we have so much to be thankful for as a City. Councilmember Johnson thanked City Council, City Employees, City Manager and the City Clerk's Office for everything they do for the City.

Councilmember Johnson stated that she had the opportunity to attend training classes in Montgomery, Alabama, conducted by the Alabama League of Municipalities. Councilmember Johnson also stated that she has completed the first level of the Certified Municipal Elected Official Training Program.

Councilmember Johnson encouraged everyone to continue to keep our hearts and mind set on doing what is right for the betterment of Phenix City. Councilmember Johnson stated that in spite of everything that is going on around in our nation, Phenix City is still one of the best places to live and worship.

Councilmember Johnson asked everyone to help her congratulate Councilmember Day for reaching a milestone in the Certified Municipal Elected Official Training Program receiving the Emeritus status. Councilmember Johnson stated that the Emeritus status is the third level in the program and requires over 120 hours of training for completion. Councilmember Johnson stated that completing the program shows the commitment and passion that Councilmember Day has for the City.

Councilmember Day thanked Councilmember Johnson for those words of encouragement and congratulated her on her accomplishments as well. Councilmember Day also thanked Council and the City Manager for giving him the opportunity to attend the Alabama League of Municipalities training in different cities in the state of Alabama. Councilmember Day stated that he began the Certified Municipal Elected Official Training Program shortly after he was elected to represent District Three as a Councilmember. Councilmember Day also stated that he is the first Phenix City Councilmember to reach the Emeritus status and to complete the training program. Councilmember Day further stated that Phenix City is a unique City with the close proximity to Columbus and Ft. Benning, Georgia, and he is always proud to represent it. Councilmember Day stated that he has enjoyed learning how to perform his job more effectively and meeting new people. Councilmember Day further stated that he has been a member of the Lee-Russell Council of Governments Executive Board for nine years. Councilmember Day stated that he is also a member of the Alabama Association of Regional Councils Executive Board, whose last meeting

was held in Montgomery, Alabama and the guest speaker was Governor Kay Ivey. Councilmember Day also stated that he loves what he does and he is a Councilmember to serve the people and not be served by the people.

Councilmember Gordy congratulated Councilmember Johnson and Councilmember Day on their accomplishments. Councilmember Gordy also congratulated the Central High School Red Devils Football team on advancing to the championship game.

Councilmember Gordy wished everyone a safe Thanksgiving weekend.

City Manager Wallace Hunter stated that a citizen, Mr. Brakefield, spoke before Council at the Work Session on November 15, 2021 concerning the numerous amounts of break-ins that were happening throughout the City. Mr. Hunter encouraged everyone to be aware of their surroundings at all times and check on their loved ones. Mr. Hunter stated that with the holidays fast approaching, unfortunately it's the time of the year where the number of burglaries and suicides increase and all while still going through the Covid-19 Pandemic. Mr. Hunter encouraged everyone to report suspicious behavior to the Police Department.

City Manager Wallace Hunter reflected on the City's battle with Covid-19 and the loss of Assistant City Manager Steve Smith around this time last year. Mr. Hunter asked everyone to keep his personal family and City family in their prayers. Mr. Hunter stated that the City as well as our Nation are still going through the pandemic and the holidays are a time to reflect on the ones that we have loved and lost.

City Manager Wallace Hunter congratulated Councilmember Johnson and Councilmember Day on their accomplishments. Mr. Hunter stated that as we learn, we become better people. Mr. Hunter also stated that he thanks God for the growth in the City. Mr. Hunter further stated that the decisions made now will in some way affect the future so it is very important to make the best decisions for the betterment of the City and future generations. Mr. Hunter stated that he agrees with Councilmember Day, he is in this particular job as City Manager to serve people and not to be served by people.

City Manager Wallace Hunter encouraged everyone to have patience over the Holiday season. Mr. Hunter stated that the workforce is experiencing a shortage not just in Phenix City but all over the nation. Mr. Hunter also stated that items may take longer to come in due to a shortage of parts which may also have an effect on the price of things.

Mayor Lowe congratulated Councilmember Johnson and Councilmember Day on their accomplishments. Mayor Lowe stated that we are grateful for them and taking the time to learn and grow.

Mayor Lowe thanked the Department Heads and all City Employees for what they do for the City. Mayor Lowe also thanked City Council for being a great team. Mayor Lowe stated that sometimes in life we fumble but it's the getting back up that counts and not losing faith.

Mayor Lowe encouraged everyone to have a safe holiday season and to be mindful of their surroundings. Mayor Lowe stated that we as individuals and a City have so much to be thankful for. Mayor Lowe also stated that the only thing that beats doing right is being right. Mayor Lowe challenged everyone to be the right person and lift each other up. Mayor Lowe stated that the Covid-19 Pandemic has taught us all that life is unpredictable and could change in a matter

of a moment. Mayor Lowe also stated that it is too hard to make it by ourselves and we need each other not just this time of year but always.

Mayor Lowe thanked the Citizens of Phenix City for allowing Council the opportunity to serve.

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 December 7, 2021.