

**MEETING MINUTES
December 21, 2021**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, December 21, 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 R. Griff Gordy, and Mayor Eddie N. Lowe. Councilmember Steve Bailey was not present. 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 with Summerville Baptist Church was not present to deliver the invocation. Mayor Lowe delivered the invocation.

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

Mayor Lowe presented the regularly scheduled meeting minutes of the December 6, 2021 Work Session and the December 7, 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented the meeting minutes of the December 9, 2021 Called Meeting for approval. Councilmember Johnson moved to approve the minutes, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Gordy. 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 granting a tax abatement to Daechang Seat Corp. USA Expansion.

RESOLUTION NO. 2021-281

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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to accepting the Annual Transportation Plan Report.

RESOLUTION NO. 2021-282

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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to authorizing the City of Phenix City, Alabama to join the State of Alabama and other Local Governments as Participants in the Endo Settlement.

RESOLUTION NO. 2021-283

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, 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 an Indemnity Agreement with Juston and Christine Trimback to grant permission to construct and to tie drainage culvert boxes into the City's existing storm water drainage system.

RESOLUTION NO. 2021-284

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, 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 Reciprocal Agreement with the State of Alabama Department of Revenue pursuant to Section 40-2A-10, Code of Alabama 1975.

RESOLUTION NO. 2021-285

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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to declaring personal property as surplus and disposing of for the nominal sum of \$1.00 and other valuable considerations to Michael Seavers of his 11 years of public service.

RESOLUTION NO. 2021-286

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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to purchasing a new Target Turning Systems from US Target Technology, Inc. in an amount not to exceed \$31,800.00. (Budgeted Item).

RESOLUTION NO. 2021-287

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, 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 License Agreement with Talk Faith Radio for the lease of antenna space at 1400 2nd Place, Phenix City, Alabama in an amount not to exceed \$1,200.00 per year for 5 years.

RESOLUTION NO. 2021-288

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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to declaring property and evidence as surplus to be sold to the highest bidder at a public auction.

RESOLUTION NO. 2021-289

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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to declaring property and evidence as surplus to be disposed of at the landfill or destruction at the Auburn University incinerator facility.

RESOLUTION NO. 2021-290

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, 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 Thompson Insurance, Inc. for Property, Auto and Liability Insurance coverage for calendar years of 2022, 2023 & 2024 at a cost of \$243,134.00 for 2022.

RESOLUTION NO. 2021-291

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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a Letter of Recommendation from the Planning Commission, Public Notice and Ordinance to rezone 1.08 acre tract of land located at 3900 Waterworks Road

from an R-2 Zone (Medium Density Residential District) to a A-O Zone (Apartment and Office District), BFI, LLC (Michael Bowden), 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a Letter of Recommendation from the Planning Commission, Public Notice and Ordinance to rezone 0.53 acre tract of land located on Waterworks Road from No Zoning to an A-O (Apartment and Office District) City of Phenix City, 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 Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented for second reading an Ordinance to exempt certain items from the Municipal Sales and Use Tax during February, 2022, referred to as the Severe Weather Preparedness Tax Holiday.

ORDINANCE NO. 2021-14

Councilmember Gordy moved to approve 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: None. ABSTAINS: None. The motion thus carried.

Mayor Lowe presented an application for an Off Premise Beer License, Off Premise Wine License and an Off Premise Whiskey/Wine (Retail Package Store License) submitted by Jahid Hassan for Orny, LLC dba Orny Package Store located at 1614 A East 280 Bypass, Phenix City, Alabama. Councilmember Johnson moved to place the applications 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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented an application for an Off Premise Beer License and Off Premise Wine License submitted by Jahid Hassan for Orny, LLC dba Fuel Hub located at 1614 East 280

Bypass, Phenix City, Alabama. Councilmember Day moved to place the applications on first reading, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, 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 Sally and John Musulin for property damage. City Attorney Jimmy 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 Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, 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 Membership agreement with Alabama 811 to receive underground utility location request through Alabama 811.

RESOLUTION NO. 2021-292

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, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: None. The motion thus passed.

Mayor Lowe thanked Council, City Manager Wallace Hunter, City Attorney Jimmy Graham, Department Heads and all City Employees for everything that they do for the City of Phenix City.

Councilmember Johnson thanked God for continuously blessing Phenix City. Councilmember Johnson stated that this holiday season is a season of reflection, giving and hope. Councilmember Johnson also stated that the reason for the season is Jesus Christ. Councilmember Johnson further stated that this has been a challenging year but through it all, Phenix City has grown in every district. Councilmember Johnson stated that Phenix City is one of the best places to live, work and worship.

Councilmember Johnson thanked Mayor Lowe, Council, City Manager, Department Heads, and all the employees of for being a part of the growth in Phenix City. Councilmember Johnson also thanked the City Attorneys for making the best decision for the betterment of Phenix City.

Councilmember Johnson thanked the Citizens of Phenix City for allowing her to serve as a City Councilmember. Councilmember Johnson stated that compared to other cities, Phenix City is truly blessed.

Councilmember Johnson wished everyone a safe holiday season, a Merry Christmas and a happy New Year.

Councilmember Day thanked everyone involved in the Phenix City Christmas Give-a-Way last Saturday on December 18, 2021. Councilmember Day stated that there were several organizations who participated in the annual event with over two hundred bikes and several hundred toys that were given away to the children in the Bi-City area. Councilmember Day

thanked the Chief of Police Ray Smith and the Phenix City Police Department for helping with the event and making sure everyone was safe. Councilmember Day stated that this is the season to give and show love to others.

Councilmember Day stated that Jesus was the reason for the season and wished everyone a Merry Christmas and Happy New Year.

City Manager Wallace Hunter stated that 2021 has been a challenging year. Mr. Hunter thanked the Council, City Attorneys, Department Heads and all City Employees for enduring those challenges that the City faced this year during the pandemic. Mr. Hunter stated that it is easy to say "Thank You" and should be just as easy to say "I'm Sorry."

City Manager Wallace Hunter encouraged everyone to have a safe Holiday Season and be aware of their surroundings.

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.

Mayor Lowe wished everyone a Merry Christmas and Happy New Year.

There being no further business to address, the meeting thus adjourned until January 4, 2022.