

**MEETING MINUTES  
February 15, 2022**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, February 15, 2022 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.

Reverend Alan Griffith of Emmanuel Baptist Church delivered the invocation.

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

Mayor Lowe presented the called meeting minutes of the January 27, 2022 State of the City Address for approval. Councilmember Day moved to approve the minutes, 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, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Gordy. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the January 31, 2022 Work Session and the February 1, 2022 Council Meeting for approval. Councilmember Gordy moved to approve the minutes, 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 stated there was no unfinished business to address at this time.

Mayor Lowe presented a resolution in reference to rescinding Resolution 2022-10 in reference to awarding a contract from J. Douglas Martin & Associates, Inc. to remodel the Economic Development Building in the amount of \$334,712.77.

**RESOLUTION NO. 2022-33**

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 authorizing the Mayor and City Manager to enter into an agreement with J. Douglas Martin & Associates, Inc. to remodel the Economic Development Building in the amount of \$334,712.77.

**RESOLUTION NO. 2022-34**

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 Change Order No. 1 contract with J. Douglas Martin & Associates, Inc. in the amount of \$17,133.23 for addition of the Economic Development Building.

**RESOLUTION NO. 2022-35**

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 the Mayor and City Manager to renew the contract with Robinson Paving Company for Bid Number E20-01 Hot Mix Asphalt Paving and Roadway Improvements at the current contract unit prices to February 28, 2023.

**RESOLUTION NO. 2022-36**

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 various items listed on "Exhibit A" as surplus to be sold as scrap, or be disposed of at the City Landfill.

**RESOLUTION NO. 2022-37**

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 Chief of Police Raymond Smith to sign a Memorandum of Understanding Agreement with The Alabama Law Enforcement Agency.

**RESOLUTION NO. 2022-38**

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 a proposal from Ardurra Engineering for Professional Engineering and Technical Services and authorizing and directing the Mayor and City Manager to sign Task Order #29 for the proposed Professional Engineering

and Technical Services for the Wastewater Treatment Plant's Primary Clarifier's Rehabilitation in an amount not to exceed \$250,000.00.

**RESOLUTION NO. 2022-39**

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 Memorandum of Understanding with Columbus Water Works.

**RESOLUTION NO. 2022-40**

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 declared that now was the time and place for a public hearing regarding an Ordinance to rezone 11.00 acre tract of land located at the Westside of Lakewood Drive & South of Holland Creek from an R-1 Zone (Low Density Residential District) to a R-3 Zone (High Density Residential District), GGG Partners, LLC, owner. Mayor Lowe stated that anyone wishing to address Council regarding this ordinance should come forward at this time. Mayor Lowe also stated that each person would have five minutes to address Council, after which a timer will sound. Mayor Lowe further stated that setting a time limit allows time for everyone to voice his or her opinion. The following people came forward to address Council:

Jim Talbot, 1906 Britton Drive, Phenix City, Alabama, came forward to address Mayor and Council. Mr. Talbot stated that he will be speaking on the behalf of Ms. Leslie Green Dudley who also has other representation with her, Mr. Bill Barrett and Attorney Kenneth Funderburk. Mr. Talbot also stated that he has over 57 years of experience in real-estate business and he has assisted in over 30 public hearings concerning zoning. Mr. Talbot further stated that Ms. Dudley along with her children, inherited the land from her late husband Mr. Dan Green. Mr. Talbot recalled speaking to Mr. Green prior to his passing and he expressed plans of developing the property. Mr. Talbot stated that up until the point of Ms. Dudley contacting him, he believed that the property was already an R-3 Zone. Mr. Talbot also stated that the plans are to build apartments on the remaining 11.00 acres to provide housing for Citizens of Phenix City. Mr. Talbot further stated that the apartment homes would bring in revenue for the City in rental and property taxes. Mr. Talbot asked Mayor and Council to consider rezoning the property, which would be a progressive move for the City. Mayor Lowe thanked Mr. Talbot for coming to speak with Council.

Jim Lucas, 3714 Holland, Phenix City, Alabama, came forward to address Mayor and Council. Mr. Lucas stated that he will be speaking on the behalf of his mother-in-law Betty Tolbert who lives in Holland Creek adjacent to the property in question for rezoning. Mr. Lucas also stated they are not opposed to the land being developed but are opposed to the rezoning of the land. Mr. Lucas further stated that Ms. Betty Tolbert's concerns were: why couldn't the Planning Commission come to a decision on the rezoning, and what studies were completed concerning the flood zone. Mr. Lucas stated that the Holland Creek area has a huge flood zone with volumes

of water coming through the area. Mr. Lucas further stated that in addition to the flooding, there is a heavy flow of traffic already present in the area. Mr. Lucas stated that the residents in Holland Creek feel that their questions have not been answered and they do not see a valid reason for the changing of the zone. Mayor Lowe stated that Council can not speak for the Planning Commission as to why they did not make a decision on rezoning. Mayor Lowe also stated that whether or not the Planning Commission had made a decision on the rezoning, it still would have come before Council. Mayor Lowe further stated that the Engineering Department is aware of the flooding issues, and is diligently working on a plan geared towards the flood zone. Mayor Lowe advised Mr. Lucas to follow up with City Engineer Angel Moore if he had any further questions concerning the flood zone of Holland Creek. Councilmember Bailey stated that once the City has implemented the flood protection plan, it has to be approved by Alabama Department of Environmental Management (ADEM) and other entities. Councilmember Bailey also stated that it's not just the City involved in the flood protection plan to help in that area. Councilmember Gordy stated that whether the zoning changes or not, the owner will still have to go through the process if they wanted to develop the land. Mayor Lowe thanked Mr. Lucas for coming to speak with Council.

Laurette Smith, 2702 40<sup>th</sup> Street, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Smith stated that she is concerned with the traffic and flooding issues that already exist in the area. Ms. Smith inquired about the number of units at the proposed apartment complex. Mayor Lowe stated that to his understanding, a little over 90 units are expected. Ms. Smith stated that if we multiply 2 drivers per unit, it will be an increase of around 180 more vehicles in an already congested area. Ms. Smith also stated that a traffic light will be needed at the corner of 40<sup>th</sup> Street and Lakewood Drive to help control the increase in traffic. Ms. Smith further stated that she is also concerned with the environment and the cutting of trees to clear the land for the apartments. Mayor Lowe stated that the City could not just simply install a traffic light, studies must be completed and approved through ALDOT. Mayor Lowe thanked Ms. Smith for coming to speak with Council.

Tammy Coker, 2409 Greenbriar Drive, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Coker stated that she has two major concerns, increase in traffic and flooding. Ms. Coker stated that she lives in the Lakewood area but her father resides on 40<sup>th</sup> Street. Ms. Coker also stated that traffic is so heavy in the mornings that her father has a hard time leaving his home. Ms. Coker further stated that her fear is that she will not be able to reach her father in the event that something happens to him. Ms. Coker stated that from 6:30 a.m. to 9:00 a.m. it is extremely congested. Ms. Coker recalled her youngest child swimming in the creek years ago. Ms. Coker stated that the water rises so high now that it is unsafe. Ms. Coker asked if the water and sewage in that area could handle an increase of people. Ms. Coker stated that the City has performed work on sewer lines in her front yard several times over the past few years. Ms. Coker also stated that she now has sinkholes in her front yard and she believes that an increase of people would make matters worse. Mayor Lowe thanked Ms. Coker for coming to speak with Council.

Barbara Davis, 3711 Holland Court, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Davis stated that she lives in the Holland Hills Subdivision and the water that flows down from the creek into their neighborhood is starting to wash her away land. Ms. Davis also stated that she is concerned about the increase in traffic. Ms. Davis further stated that adding apartments would increase the already existing problems. Ms. Davis stated that the apartments would probably add over a hundred more children to the schools in the area. Ms. Davis also stated that she doesn't think the schools will be able to handle that many new students. Ms. Davis asked Mayor and Council to consider the presented matters. Mayor Lowe stated that

City Manager Wallace Hunter, Department Heads and Council think about the future of Phenix City and the quality of life for the Citizens. Mayor Lowe suggested that Ms. Davis follow up with City Engineer Angel Moore and Utilities Director Charles Woody if she has any future concerns. Councilmember Steve Bailey stated all the points that Ms. Davis and the others have brought up are valid concerns. Councilmember Bailey also stated that traffic comes with progress and growth. Councilmember Bailey further stated that whether the rezoning is approved or not, there is still a potential that the property will be developed as residential. Councilmember Bailey further stated that the cost to develop the property is probably more than what it would be worth for individual homes but a better return on apartments. City Manager Wallace Hunter stated that the City is following a process. Mr. Hunter also stated that there are so many loops that the property owners would have to go through before the land is cleared. Mr. Hunter further stated that the land developers have to have engineers to survey the area. Mr. Hunter stated that there are City and State laws. Mr. Hunter asked City Engineer Angel Moore to explain the process. Ms. Moore stated that if Council approves the rezone, it is only the first step in the process. Ms. Moore also stated that a construction plan, traffic impact study to show if additional lanes and/or traffic signals will need to be added, and an environmental review for wetlands and flood zone all have to be submitted and approved by a professional Alabama certified engineer. Ms. Moore further stated that the plans and designs must meet City standards including the Engineering Department, Fire Department, Building Department, Utilities Department and outside entities including FEMA and ADEM. Ms. Moore stated that Council is approving a change in the zone of the property not what may or may not be built on the property. Mr. Hunter stated that he wants everyone to understand that Council either approves or denies the moving forward of the rezoning. Mr. Hunter also stated that there are several stages and steps that must be followed and approved if the property stays at R-1 or rezoned to R-3. Mr. Hunter further stated that today, Mayor and Council are going through the first step in the process after facts have been presented. Councilmember Bailey agreed with Ms. Moore and Mr. Hunter stating that Council is approving or denying the rezoning not the project for the owner. Councilmember Bailey stated that each member of Council listens to both sides and individually votes for or against the rezoning of the property. Councilmember Bailey also stated that it would be unethical for one Councilmember to know how the other Councilmember votes. Mayor Lowe thanked Ms. Davis for coming to speak with Council.

Kathy Dickerson, 3718 Holland Court, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Dickerson stated that she purchased a home in the Holland Hills Subdivision over twenty years ago. Ms. Dickerson also stated that the neighborhood is peaceful and quiet. Ms. Dickerson further stated that ten years after she purchased her home, she spent \$18,000.00 for supports and a retaining wall to prevent her backyard from being washed away. Ms. Dickerson stated that flooding is a huge issue and the ground is unstable. Ms. Dickerson stated that adding the apartments in the area will probably make an already bad situation worst. Ms. Dickerson also stated that the construction company that added the supports stated that there is a probability that more stakes may need to be added to the back of her home in the near future. Ms. Dickerson further stated that a neighbor of hers has a concrete wall in their backyard to support their home. Ms. Dickerson stated that flooding is a major concern. Mayor Lowe thanked Ms. Dickerson for coming to speak with Council.

Cathy Weaver, 2507 Brookwood Circle, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Weaver stated that she lives near Lakewood. Ms. Weaver also stated that traffic in the area is already congested and flooding issues are major reasons that an increase in people in the area would not be beneficial to the residents that already live there. Ms. Weaver thanked Mayor and Council for listening to her and the people that spoke before her. Mayor Lowe thanked Ms. Weaver for coming to speak with Council.

Jay O'Neal, 4408 Sue Drive, Phenix City, Alabama, came forward to address Mayor and Council. Mr. O'Neal stated that everyone who spoke before him all have made valid points and he would like to add to what has already been spoken concerning the rezoning. Mr. O'Neal also stated he has spoken to the Floodplain Management Office at the Alabama Office of Water Resources to answer the question, why the land has not previously been developed. Mr. O'Neal further stated that the answer that he received was that the entire plot is a floodplain, floodway, and flood zone area that holds a tremendous amount of ground water. Mr. O'Neal stated he doesn't think the area would pass through FEMA if it is rezoned because of the severe water issues. Mr. O'Neal also stated that he has spoken to the Bureau of Justice who stated that the burglary rate is currently 1.83% against the homes in that area. Mr. O'Neal further stated the apartment complex would increase the burglary rate by 18-19% in property crime and burglaries. Mr. O'Neal stated that he has spoken to Oxford Meadows of Columbus State University, concerning the fact that there are endangered species that reside in the Holland Hills Creek; red cockaded woodpecker, southern clubshell clam, and a box tortoise. Mr. O'Neal stated that he moved to the area because it was a quiet, safe and had a good school system. Mr. O'Neal also stated that the quality of life is important to the residents and quantitative data is important to the City. Mayor Lowe stated that Council doesn't just look at numbers but what is best for the City as a whole. Mayor Lowe also stated every person in Phenix City is important to Council. Mayor Lowe stated that he appreciates Mr. O'Neal for contacting the agencies and he would like for those agencies to share the information with the City's departments as well. Mayor Lowe stated that the Police Department does the best that they can to keep the crime rate down but crime is everywhere not just in a particular area. Mr. Mayor Lowe thanked Mr. O'Neal for coming to speak with Council.

Glenda Payne, 3700 Holland Court, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Payne stated that she has been on Holland Court about six years and the apartment complex would be in her back yard. Ms. Payne also stated that if she decides to sell her home, the value would depreciate because of the apartment complex. Mayor Lowe thanked Ms. Payne for coming to speak with Council.

Bill Barrett, 121 West Broad Street, Eufaula, Alabama, came forward to address Mayor and Council. Mr. Barrett stated that he was hired by Ms. Leslie Green Dudley to help her through the rezoning process. Mr. Barrett also stated that the project as of now, consist of a 96 unit market rate apartment complex. Mr. Barrett further stated that they are aware of the concerns of the neighbors. Mr. Barrett stated that the project is at the beginning of the process and will include several studies that will be submitted to the City for approval. Mr. Barrett also stated that all of their concerns will be addressed. Mr. Barrett further stated that sewer capacity seems to be a major concern. Mr. Barrett stated that to his understanding after speaking with the Utilities Department Graduate Engineer John Spraggins, the City has plans to replace the Holland Creek sewer trunk line. Mr. Barrett also stated that Ms. Dudley and her children would donate the easement for that purpose because it is a needed improvement. Mr. Barrett further stated that he and Ms. Dudley understand that plans must include wetland, wildlife and environmental studies along with addressing the flooding issues. Mr. Barrett stated that they also understand that it is a possibility that an issue may arise that causes the plans to cease and the project ends. Mr. Barrett also stated that this is the first step in the process. Councilmember Bailey asked if the consideration of building homes instead of apartments was an option for the property. Mr. Barrett stated that the shape of the property is long, narrow and the creek resides on one side. Mr. Barrett also stated that building possibly two rental homes on the property would not be profitable. Mr. Barrett further stated that the layout of homes is completely different from the layout of apartments. Mayor Lowe thanked Mr. Barrett for coming to speak with Council.

Dr. Arthur Womble, Phenix City Health Care, 3900 Lakewood Drive, Phenix City, Alabama, came forward to address Mayor and Council. Dr. Womble stated that he is speaking on the behalf of the administration and residents of the Phenix City Health Care Center. Dr. Womble also stated that he agrees with the concerns of the citizens who spoke before him. Dr. Womble further stated that he does not believe that the apartment complex would be a good fit for the area considering all of the issues. Dr. Womble stated that the apartment complex may add up to 200 plus cars per day to the already congested area, which may also block access to the Phenix City Health Care Center. Dr. Womble also stated that Lakewood Drive is a two lane street with no shoulders and in his opinion can not handle the increase in traffic. Dr. Womble further stated that this area of discussion is prone to flooding in heavy rain, which also affects the Health Care Center. Dr. Womble stated that today's meeting is not the first meeting concerning the rezoning and since the first meeting, it doesn't appear that any of the issues of concern will likely be resolved. Mayor Lowe thanked Dr. Womble for coming to speak with Council.

Barbara Bassett, 1504 43<sup>rd</sup> Street, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Bassett stated that she submitted an email of consideration to Mayor and Council. Ms. Bassett also stated that she would read the email for the benefit of the people attending today's Council meeting. Ms. Bassett presented the email as follows:

I own my childhood home at 1504 43rd. St., which will be directly impacted by increased traffic from Lakewood Dr. rezoning. My parents bought the house in 1951, and I have owned it since 2012. The street is already used as a shortcut for people going to & from JR Allen to avoid the traffic quagmire at the Summerville Rd. on & off ramps. I deal with careless and inattentive drivers on a daily basis when I am out walking my dogs. Phenix City is not pedestrian friendly in most areas.

My observation is there does not appear to be any cohesive planning going on regarding present or future residential & business development in Phenix City. The most annoying are the 'population bombs' thrust on north Phenix City with little consideration given to the serious involvement of homeowners.

Stadium Dr. is a detriment to the area from a traffic and crime standpoint, and Rock Island Ridges on Riverchase Dr. has become problematic too.

What infrastructure plans are in place for Riverchase Dr. between Rock Island Ridges related to the proposed strip mall development?

From my perspective, the following streets & roadways will be heavily impacted by the approval of 96 apt. units on Lakewood Dr. with the reasonable assumption there might be 2 vehicles per unit:

- Lakewood Dr.
- Summerville Rd. (north & south)
- Pierce Rd.
- Riverchase Dr.
- S. Railroad St.

40th St.  
43rd St.  
13th Av.  
Airport Rd.  
Idle Hour Dr.  
Highway 280

I made this list by observing how the existing volume of traffic affects them depending on preferred travel routes by the general population at various times of the day. There may be other travel corridors negatively affected.

I could have an extensive conversation about how various residents on 43rd St. including me, have been affected by crime related to the introduction of nearby dense population pockets and the street becoming a shortcut for people who would previously not have had it on their radar.

I understand high density development having lived most of my adult life in Seattle. It requires strategic planning to be an asset rather than a detriment to an area. I do not see Phenix City adding high density as a well-planned asset.

Personally, I want the Lakewood rezoning to not pass at the February 15, 2022 public hearing. It would definitely be reasonable to at least table the decision for further consideration.

Mayor Lowe thanked Ms. Bassett for coming to speak with Council.

Charlotte Little, 3907 26<sup>th</sup> Avenue, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Little thanked Mayor and Council for allowing everyone to express their thoughts concerning the rezoning. Ms. Little stated that she walks her neighborhood daily and notice quite a few water leaks. Ms. Little also stated that the Utilities Department has always responded and repaired the leaks. Ms. Little further stated that she doesn't believe the area will be able to handle the increase of 96 families. Ms. Little stated that she has noticed quite a few deer in the area. Ms. Little also stated that the number of deer in the area would increase if the land was cleared for the apartment complex. Ms. Little further stated that she is also concerned with the increase in traffic. Mayor Lowe thanked Ms. Little for coming to speak with Council.

Kristin Morgan, 2416 Greenbrier Drive, Phenix City, Alabama, came forward to address Mayor and Council. Ms. Morgan stated that a group of Citizens who live in the area of the property in question created a petition against the rezoning. Ms. Morgan also stated a list of names has been turned into the City Clerk's Office last week. Ms. Morgan further stated that she has a few more names and signatures that can be added to the petition. Ms. Morgan stated that over 500 signatures were obtained on line through a change.org petition. Ms. Morgan also stated no one who is in the neighborhood were in favor of the rezoning. Ms. Morgan further stated that the area is made up of single family dwellings and they would like to keep it that way. Ms. Morgan stated that she is a long time resident of the area. Ms. Morgan also stated that the quality of life on that part of town is exactly what herself and others were seeking. Ms. Morgan further stated that an increase in traffic, water issues and crime would disrupt the peaceful quality of life that they all have come to love. Ms. Morgan stated that she understands that the City desires to grow and



progress. Ms. Morgan also stated that she believes that Mr. Dan Green did not develop the land originally for the same reasons that have stood before Council today. Ms. Morgan asked Mayor and Council to consider the fact that the Citizens who live in that area are not in favor of the rezoning. Mayor Lowe thanked Ms. Morgan 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 today's Council meeting. Mayor Lowe stated that he is grateful that everyone spoke respectfully.

Mayor Lowe presented for second reading an Ordinance to rezone 11.00 acre tract of land located at the Westside of Lakewood Drive & South of Holland Creek from an R-1 Zone (Low Density Residential District) to a R-3 Zone (High Density Residential District), GGG Partners, LLC, owner. Councilmember Gordy moved to deny the ordinance, 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 Recommendation from the Planning Commission, Public Notice and Ordinance to rezone a 3.71 acre tract of land located at 2515 College Drive and 2514 South Seale Road from an R-1 Zone (Low Density Residential District) to an A-O Zone (Apartment and Office District), ALLWood, 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.

Mayor Lowe stated that City Council has always been transparent when it comes to conducting the business of Phenix City. Mayor Lowe challenged all Citizens to attend the Council Meetings. Mayor Lowe stated that there are rumors circulating on Social Media that the City does not have a Comprehensive Plan and that is not true. Mayor Lowe encouraged the Citizens who have a question concerning the City to contact the City Clerk's Office. Mayor Lowe stated that the Council, City Manager, Department Heads, and City Employees all care about this City and the people who live in it.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Joshua Conley. City Attorney Jimmy Graham stated that the claim alleges that on January 13, 2022, while driving on Allen Road, Mr. Conley ran over a pothole and damaged his front passenger tire. City Attorney Graham recommended denying the claim due to that particular portion of Allen Road is maintained by Russell County and not Phenix City. City Attorney Graham stated that he would reach out to Mr. Conley to let him know that he needs to file his claim with Russell County. 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.

Mayor Lowe thanked the Citizens who took the time to come to today's Council Meeting. Mayor Lowe also thanked Council, City Manager Wallace Hunter, City Attorneys, Department Heads and all City Employees for giving of themselves for the betterment of Phenix City. Mayor Lowe stated that the slogan for the year is, let us all be a lifter and not a leaner.

Councilmember Bailey thanked all the Citizens who attended today's Council Meeting. Councilmember Bailey also thanked the Citizens who contacted himself and other members of Council concerning the rezoning. Councilmember Bailey stated that Mayor and Council are here to listen to the concerns of the Citizens of Phenix City. Councilmember Bailey also stated that Council looks at today's issues, to prepare for tomorrows future, and build on the things of the past. Councilmember Bailey further stated that Mayor and Council want what is best for our City. Councilmember Bailey stated that Mayor and Council share the same concerns as the citizens when it comes to crime, property value and the safety of our children. Councilmember Bailey recalled being one of the youngest members of his neighborhood to now being one of the oldest members of his neighborhood. Councilmember Bailey encouraged everyone to attend a Council Meeting. Councilmember Bailey stated that once a year, a meeting is held in each district at 6:00 p.m. with the next one being on March 15, 2022 at the Martin Idle Hour Community Center. Councilmember Bailey encouraged everyone to reach out to a Councilmember if they have a concern or question on how they can help the City. Councilmember Bailey stated that the growth of the City depends on all of us.

Councilmember Day thanked the Citizens for expressing their concerns. Councilmember Day stated that the traffic issues throughout the City seem to be a major concern. Councilmember Day also stated that traffic is a sign of growth. Councilmember Day further stated that he has received several phone calls concerning traffic in District Three. Councilmember Day stated that the Police Department is on duty 24 hours a day seven days a week and they are doing the best that they can to control the flow of traffic and combat crime.

City Manager Wallace Hunter stated that the rezone was presented first to the Planning Commission who was unable make a decision. Mr. Hunter also stated that the rezone came before Mayor and Council today and the decision was made to deny the rezone. Mr. Hunter further stated that this is not the last step in the process. Mr. Hunter stated that the rezone could be taken to court and today's decision could be reversed. Mr. Hunter also stated that the courts decision can not be reversed by Council.

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 March 1, 2022.