

**MEETING MINUTES**  
**March 15, 2022**

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

Councilmember Bailey delivered the invocation.

Councilmember Bailey led the Pledge of Allegiance to the United States Flag.

Mayor Lowe presented the regularly scheduled meeting minutes of the February 28, 2022 Work Session and the March 1, 2022 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 documents to revise the Illicit Discharge Detection and Elimination Program (IDDE) and Storm Water Management Plan (SWMPP) for the Alabama Department of Environmental Management National Pollutant Discharge Elimination System for the new 2021-2026 permit cycle.

**RESOLUTION NO. 2022-47**

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 granting permission for Mr. Johnny Dudley to perform grading and storm drainage work within the City right of way.

**RESOLUTION NO. 2022-48**

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 awarding a bid to Evergreen Siteworks, LLC for the Phenix City Construction and Demolition Landfill Expansion Project and further

authorizes the Mayor and City Manager to sign contract documents in an amount not to exceed \$1,405,715.00.

**RESOLUTION NO. 2022-49**

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 awarding a bid for uniforms to Cintas for the Public Works Departments to include Engineering, Parks and Recreation, Lakewood Golf Course and the Utilities Departments.

**RESOLUTION NO. 2022-50**

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 awarding a bid to AAA General Contractors, Inc. for the demolition of 11 structures as part of the CDBG Grant Project # LR-CE-PF-20-009 in an amount not to exceed \$129,860.00.

**RESOLUTION NO. 2022-51**

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 accept and sign a proposal from Orchestra Partners for Vision Planning services within the Downtown and Riverfront area in an amount not to exceed \$30,000.00.

**RESOLUTION NO. 2022-52**

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 Alabama Power Company to install (159) LED Hawklite Off-Road Fixtures and (17) LED Hawklite Fixtures along Highway 431 in Phenix City, Alabama.

**RESOLUTION NO. 2022-53**

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 declaring various items as surplus to be sold as scrap or disposed of at the City Landfill.

#### **RESOLUTION NO. 2022-54**

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 an agreement with Constantine Engineering for the Water Filter Plant and Water Distribution SCADA improvements in an amount not to exceed \$19,600.00.

#### **RESOLUTION NO. 2022-55**

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 for first reading an Ordinance to Amend Chapter 22 – Elections; Sec. 22-1 Districts of the City; Voting Places; (a) – Districts, Boundaries Established ; (1) – District 1; (2) – District 2; (3) – District 3, of the Code of Ordinances of the City of Phenix City, Alabama. Councilmember Day moved to place the ordinance on first reading, which motion was seconded by Councilmember Gordy. Mayor Lowe opened the floor for comments or discussion. Councilmember Johnson stated that it was discussed during the Work Session on March 14, 2022, that the ordinance would be pulled from the agenda. Mayor Lowe opened the floor for City Manager Wallace Hunter to discuss the redistricting ordinance. Mr. Hunter stated that research had been done and the ordinance stands as read. Mr. Hunter also stated that a public hearing was conducted in each district in February with maps displaying what areas would be affected by the redistricting. Mr. Hunter called upon City Engineer Angel Moore to address questions that came up at the March 14, 2022, Work Session. Ms. Moore explained that the line drawn for District Three starting at the Dillingham Bridge, which borders the Chattahoochee River, has not changed. Ms. Moore stated that there was a portion of District Two that was moved to District Three. Ms. Moore showed the area on the map. Mayor Lowe stated that Councilmember Johnson's concern was that citizens were moved from her District to another District. Mr. Hunter stated that the shift shows the growth in population for Phenix City. Mr. Hunter also stated that District One had a greater shift than District Two. Mr. Hunter further stated that District Two lost streets on one end but gained on the other end. Mr. Hunter stated that the proposed redistricting, once approved by Mayor and Council, has to be approved by the State of Alabama Justice Department. Mr. Hunter also stated that the City will be notified upon approval. City Clerk Melony Lee stated that Citizens will be notified if their voting location has been changed due to the redistricting. Ms. Lee also stated that they will begin voting at the new locations starting with the next scheduled City Election in 2025 for Mayor, City Council and the School Board. Ms. Lee further stated in the event that a special called election takes place prior to 2025, the citizens will vote in their current locations. Mr. Hunter stated that being the City Manager is no easy job but he is always going to do what is right and in the best interest of Phenix City. Mr. Hunter also

stated that the City followed the steps set by the Justice Department. Mr. Hunter further stated the City has a very competent and professional Engineering Department who follow procedures. Councilmember Johnson stated that she recalls asking the question: if the center line where the Dillingham Street intersects with the Alabama and Georgia State Line, District Two or District Three. Ms. Moore stated that North of the center line is District Two and South of the center line is District Three. Councilmember Johnson stated that there is a lot of verbiage in descriptions for District One and District Three but not District Two on the ordinance. Councilmember Johnson also stated that she noticed the lack of verbiage on previous year's ordinances as well. Councilmember Johnson asked if the forms could be updated to include verbiage for all three Districts. Councilmember Johnson apologized to anyone who may have been offended by her use of the term manipulation at the Work Session on March 14, 2022. Councilmember Johnson stated that she was trying to get a better understanding about the redistricting and not the address of those who were shifted to a new district. Mr. Hunter stated if the Alabama Department of Justice advises the City to update or change the wording or descriptions, the City would not hesitate to update or change as directed. Mr. Hunter also stated that the City follows the rules and guidelines set in place. Mayor Lowe stated that it was to his understanding that Councilmember Johnson requested information concerning the addresses of the citizens affected by District Two's ingress or egress. Councilmember Johnson stated that it wasn't necessarily the addresses but the lack of verbiage for District Two compared to District One and District Three. City Attorney Jimmy Graham recalled the redistricting descriptions being the same way for District Two when he was a Councilmember in 1991. City Attorney Graham explained the point where the center line of Dillingham Street intersects with the Alabama Georgia state line and boundaries for District Two and District Three. Councilmember Bailey stated that there has to be a split point somewhere to separate District Two from District Three. Councilmember Bailey also stated that one side of the road may be in one district while the other side of the road may be in another which means one side of the road votes for one councilmember and the other side of the road votes for another. Councilmember Johnson asked if Colin Powell Parkway was in District Two or District Three. Ms. Moore stated that Colin Powell Parkway was in District Three. Mayor Lowe stated that a part of Summerville Road is in District Two and the other part is in District One. Mayor Lowe also stated that it is not just between District Two and District Three. Ms. Moore stated that the descriptions in the ordinance describe a boundary line not the entire district. Ms. Moore also stated that a better way to explain it is that there are two different boundary lines defining District One and District Three and Two is in the middle. City Attorney Graham stated that there has to be defined boundaries. City Attorney Graham also stated that District Two is on one side of 431 and District Three is on the other side. Councilmember Johnson stated that she has a clearer understanding. Mayor Lowe called for the vote. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented for first reading an Ordinance Amending Ordinance 2021-06 Requiring Wearing Masks in Buildings or Indoor Spaces Managed, Leased or Owned by the City of Phenix City, Alabama.

#### **ORDINANCE NO. 2022-05**

Councilmember Day moved to place the ordinance on first reading, which motion was seconded by Councilmember Gordy. Mayor Lowe opened the floor for comments or discussion. Councilmember Bailey asked how often is the information on the number of active Covid-19 Cases in Russell County updated. Chief of Police Ray Smith stated that the CDC updates the information daily. Councilmember Gordy stated that he has explained to citizens that if the sign is up at a City facility then masks are required for entry and if the sign is not visible, then no mask

is required for entry. Mayor Lowe stated that the ordinance allows the City to adjust mask requirements as needed. City Manager Wallace Hunter stated that Citizens can still choose to wear a mask if they would like to. Mr. Hunter also stated that he would like to open the Utilities lobby back up to customers as safe as possible. Councilmember Bailey asked if the walk up window outside of the Utilities Department remain open. Mr. Hunter stated that some may prefer to pay outside and the choice will be theirs as long as staffing permits. Chief Smith stated that if the mask mandate is in place and a person enters a City facility without a mask, one will be given to them. Chief Smith also stated that Mayor and Council could vote to Suspend the Rules; then ordinance would go into effect once passed. City Clerk Melony Lee stated that a motion and second has been issued for the ordinance to be placed on first reading and it must be withdrawn in order to make and second a motion to Suspend the Rules. Councilmember Day withdrew his motion to place the ordinance on first reading. Mayor and Council agreed with the withdrawal of the motion to place on first reading. Mayor Lowe asked for a motion to Suspend the Rules. Councilmember Day moved to Suspend the Rules, 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. ABSTAIN: None. The motion thus passed. Councilmember Gordy moved to approve 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 an application for a Bonding Company License submitted by Josh Eckert and Scott Rawlins for Bandit's Bail Bonds, Inc. located at 2400 Middle Road, Eclectic, AL 36024. Councilmember Johnson moved to suspend the rules, 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 Day moved to approve the application, 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 Shenika Murray. City Attorney Jimmy Graham stated that on September 8, 2021, Shenika Murray was operating a vehicle owned by Larry Major, which was struck in the rear by a Phenix City Police Department vehicle causing physical damage to Ms. Murray. City Attorney Graham stated that the claim for property damage had been approved at a previous meeting. City Attorney Graham recommended paying the claim in the total amount of \$1,849.37 for medical bills. Councilmember Day moved to approve the City Attorney's recommendation to pay the total amount of \$1,849.37 for medical bills, 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, and Gordy. NAYS: None. ABSTAINS: Mayor Lowe. The motion thus passed.

Councilmember Day thanked everyone that came out to the Elected Official's Luncheon on Friday March 4, 2022. Councilmember Day stated that the luncheon was very successful. Councilmember Day also stated that guest speaker Major General Pat Donahoe of Ft. Benning, Georgia, did a fantastic job.

Councilmember Johnson stated that she was not putting blame on anyone when she used the word manipulation at the Work Session held on March 14, 2022. Councilmember Johnson apologized to anyone who may have been offended.

Councilmember Johnson stated that she has received compliments from citizens concerning the new signs at the City's Cemeteries. Councilmember Johnson stated that it means a lot to the Citizens of Phenix City that the City is taking the initiative to make sure the City's historic cemeteries look good with restoration and maintaining the landscaping. Councilmember Johnson thanked City Manager Wallace Hunter and his team for a job well done for the thirteen new signs.

City Manager Wallace Hunter stated that the proposed redistricting maps were on display at all three of the redistricting meetings held in each district. Mr. Hunter also stated that the information from the last four redistricting ordinances were brought to today's council meeting to make sure everyone understands that the same process has been followed. Mr. Hunter further stated that many people who came before us did not have the right to vote. Mr. Hunter stated that he is a very proud African American who would not use his position to hurt somebody else. Mr. Hunter also stated that when a person has been placed in a leadership position they should try to do what is right and treat people right.

Mayor Lowe encouraged everyone to be a lifter and not a leaner and help someone else when they are in that leaning stage of life. Mayor Lowe stated that Councilmember Bailey spoke about love in today's opening prayer because at the end of the day, we all need each other.

Mayor Lowe encouraged the Citizens of Phenix City to attend the City Council Meetings. Mayor Lowe stated that himself and all of the members of City Council will always do what they feel is right for the betterment of Phenix City.

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 April 5, 2022.