

**MEETING MINUTES**  
**May 3, 2022**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, May 3, 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 Curtis Doleman, Jr., of Praise Ministry Tabernacle delivered the invocation.

Mayor Lowe 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 Shaquetta Brown – 5 years, Stanley Sanders – 10 years, Michele Kilday – 10 years, Michael Ransom – 5 years, and Anthony Rutledge – 30 years.

Mayor Lowe exercised his right to privilege and called upon Human Resources Director Stephanie Chastain to introduce the new Library Director. Ms. Chastain presented to Mayor and Council Ms. Tammy Henry as the new Library Director. Ms. Henry thanked Mr. Hunter, Mayor, Council and Ms. Chastain for the opportunity. Ms. Henry introduced her family and library supporters. Ms. Henry encouraged everyone to visit the Library and obtain a free library card. Ms. Henry stated that she is excited and looks forward to great things coming to the Library.

Mayor Lowe presented the regularly scheduled meeting minutes of the April 18, 2022 Work Session and the April 19, 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 declared that now was the time and place for an Administrative Hearing for the Revocation or Suspension of Business License for Interstate National. Mayor Lowe stated anyone wishing to address Council concerning the Administrative Hearing should come forward and do so at this time. Mr. Kenneth Anderson came forward to address Mayor and Council. Mr. Anderson stated that he has been in business since 1986. Mr. Anderson also stated that during the Pandemic, his business suffered with the loss of employees and reduced amount of customers. Mr. Anderson further stated that because of the lack of employees, task and upkeeps fell behind. Mr. Anderson stated that over the last couple of months, he and his staff have worked hard to remove over a hundred cars from the property and clean the parking lot to prepare for it to be repainted. Mr. Anderson also stated that he loves Phenix City and would like to continue to do business here. Mayor Lowe stated that he and Council understands that the Covid-19 Pandemic has changed the work force. Mayor Lowe also stated that it is Council's responsibility to make sure that we keep Phenix City a clean and safe place to live. Mr. Anderson stated that he salvaged cars to repair other cars and unfortunately the property became over crowded with

cars. Chief of Police Ray Smith stated that if the resolution to suspend or revoke Mr. Anderson's license is approved, Mr. Anderson may be able to reapply in the future if the business has been brought up to compliance. Chief Smith also stated that the Fire Department and Building Department will monitor the progress and report to the City Manager. Chief Smith further stated that there are other agencies that are involved including ADEM (Alabama Department of Environmental Management). Fire Chief Kris Kennedy, stated the Interstate National facility is very cluttered and disorganized with no arrangement of flammable and combustible items which is a fire hazard. Chief Kennedy also stated that in April 2022, the Fire Department responded to a structure fire call for Eagle Landing Apartments only to discover that items were being burned behind Mr. Anderson's facility without a burn permit. Mr. Anderson stated that his employees burned the items without his permission. Mr. Anderson also stated that he is aware that his employees are his responsibility. Mr. Anderson further stated that he agrees that there are things that need to be changed at the business but it takes money to change them. Mr. Anderson stated that if he is not able to renew his license, he will not be able to afford to make the necessary improvements to bring the building up to code. City Manager Wallace Hunter stated that he understands that money may be an issue for Mr. Anderson, but a greater issue would be if someone is injured at the facility. Mr. Hunter also stated that you can't put a price on a life. Mr. Hunter asked Ray Rogers, Deputy Building Official, to speak on the different violations that were notated against the property. Mr. Rogers stated that there were RV trailers parked on the property with people living in them which is a zoning and fire code violation. Mr. Rogers also stated that people were sleeping in the building which is against zoning, fire and building violations. Mr. Rogers further stated that inside of the building there were electrical work being performed without the proper permits. Mr. Rogers stated that there were numerous violations that were discovered at the facility including the exit doors were blocked. John Downs, Housing and Property Standards Officer, stated that a Care of Premises violation was issued to Mr. Anderson in July, 2021. Mr. Downs also stated that he has followed up with Mr. Anderson several times and the violations were not brought up to code. Mr. Downs further stated that environment surrounding the property has also been affected. Mr. Downs stated that life safety is the number one priority. Mr. Hunter stated that the Municipal Court Judge and a representative from ADEM have accompanied Mr. Downs to Mr. Anderson's business. Mr. Downs stated the ADEM representative took photos, made videos and touched the soil of the property. Mayor Lowe stated that each department has done their due diligence to ensure safety at the property. Mr. Hunter stated that pictures were taken and actions of each department have been documented. Councilmember Bailey stated that he is also a small business owner and he understands that the pandemic had an effect on the finances and employees but ultimately the liability of the business falls on the business owner. Councilmember Bailey also stated that he hopes that Mr. Anderson is able to bring the business up to code and re-apply for a business license. Councilmember Bailey further stated that there is an old saying, if a ball team loses that Players play the game but Coaches take the blame. Councilmember Bailey stated that Council answers to the people in the community, the State of Alabama and to each other to make sure they do what is right. Mayor Lowe stated that Council has the responsibility to do what is right for the Citizens of Phenix City. Mayor Lowe thanked Mr. Anderson for coming to speak before Council. Neither hearing nor seeing anyone else come forward, Mayor Lowe declared the hearing closed.

Mayor Lowe presented a resolution in reference to the Revocation or Suspension of Business License for Interstate National.

#### **RESOLUTION NO. 2022-81**

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 granting a tax abatement to Hyundai Motor Manufacturing Company, LLC.

**RESOLUTION NO. 2022-82**

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 accepting the dedication of an easement for Public Utilities on a "Administrative Re-plat for MSB, LTD, located in Section 27, Township 18 North, Range 30 East, Phenix City, Lee County, Alabama" MSB, LTD, owners.

**RESOLUTION NO. 2022-83**

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 the Mayor to sign a Memorandum of Understanding with the Columbus-Phenix City Metropolitan Planning Organization (MPO).

**RESOLUTION NO. 2022-84**

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 rejecting all bids received for Public Safety uniforms.

**RESOLUTION NO. 2022-85**

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 declaring \$48.50 of unclaimed money as surplus to be deposited in the general fund of the City of Phenix City to be utilized for law enforcement purposes.

**RESOLUTION NO. 2022-86**

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 an agreement with IXOM Watercare, Inc. in the amount of \$3,734.00.

**RESOLUTION NO. 2022-87**

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 enter into an agreement with Sansom Equipment Company to purchase one (1) Verisight PRO Plus Push Camera System in an amount not to exceed \$12,942.50.

**RESOLUTION NO. 2022-88**

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 the Municipal Water Pollution Prevention (MWPP) 2021 Annual Report.

**RESOLUTION NO. 2022-89**

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 for first reading an Ordinance to exempt certain covered items from the municipal sales and use tax during the third full weekend of July, 2022, referred to as the "Back-to-School" Sales Tax Holiday. Councilmember Day moved to 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. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented for first reading an Ordinance to Amend Chapter 78 Traffic and Vehicles, Section 78-11 Parking of oversize and commercial vehicles of the Code of Ordinances of the City of Phenix City, Alabama. Councilmember Gordy moved to place the ordinance on first reading, 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. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented for second reading an Ordinance to de-annex 0.77+/- acre tract of land lying at Section 32, Township 18 North, Range 30 East, Lee County, Alabama, Charles E. Dunn Investments, LLC, Owner.

### **ORDINANCE NO. 2022-08**

Councilmember Bailey moved to approve the ordinance, 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.

Mayor Lowe presented one opening on the Phenix City Housing Authority Board. Mayor Lowe stated that current member Juanita Sellers is willing to serve another term. Mayor Lowe called for a motion. Councilmember Day moved to reappoint Juanita Sellers, 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 claim against the City of Phenix City, filed by Willetta Miles. City Attorney Jimmy Graham stated that on April 7, 2022, while driving on Old Opelika Road, Ms. Miles ran over a pothole and caused damage to her vehicle. City Attorney Graham recommended denying the claim because that particular portion of Opelika Road is maintained by Russell County and not Phenix City. City Attorney Graham stated that he would reach out to Ms. Miles and tell her that she needs to file her claim with Russell County. Councilmember Johnson moved to approve the City Attorney's recommendation to deny 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.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Martha M. Hood. City Attorney Jimmy Graham stated that on March 22, 2022, while stopped at a traffic light at the Neighborhood Walmart on Highway 80, a street sign fell and caused damage to her vehicle. City Attorney Graham also stated that the Engineering / Public Works Department had no prior notice of the loose hanging sign. City Attorney 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 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 Department Heads and City Employees for giving of themselves daily to serve the Citizens of Phenix City. Mayor Lowe stated that there are a lot of opportunities and potential here in Phenix City. Mayor Lowe encouraged everyone to be a lifter and not a leaner and help someone else.

Councilmember Day stated that he represents District Three and he is very excited about the jobs that will be coming to Phenix City. Councilmember Day thanked City Manager Wallace Hunter and his staff for working very hard in bringing new businesses to Phenix City.

Councilmember Day thanked City employees for their hard work and dedication to the City. Councilmember Day stated that over sixty years of services was recognized today and is

greatly appreciated. Councilmember Day also stated that Phenix City is a great place to work and raise a family.

Councilmember Johnson stated that Phenix City is a great place to live, worship and play. Councilmember Johnson also stated that our City continues to grow. Councilmember Johnson encouraged everyone to please keep our City clean and safe to appeal to potential new businesses. Councilmember Johnson also encouraged everyone to have patience if it takes a little longer for service request to be completed. Councilmember Johnson stated that the City is still short staffed and doing the very best that they can to complete tasks.

Councilmember Johnson stated that Mother's Day is May 8, 2022. Councilmember Day wished all the mothers a Happy Mother's Day. Councilmember Johnson stated that a mother endures so much. Councilmember Johnson also stated that Mother's Day is for women who have lived and inspired us and whose lives and love have changed us.

Councilmember Johnson thanked Reverend Curtis Doleman, Jr., of Praise Ministry Tabernacle for delivering the invocation. Councilmember Johnson stated that it is always good to have Community leaders take part in the Council meetings.

Councilmember Johnson thanked Mayor and City Council for always doing what is best for Phenix City and supporting City Manager Wallace Hunter and his staff and their efforts to make sure that Phenix City thrives.

City Manager Wallace Hunter welcomed Tammy Henry to the Phenix City team as the new Library Director.

City Manager Wallace Hunter thanked Councilmember Johnson for asking the citizens of Phenix City to have patience if service orders are not completed immediately. Mr. Hunter stated that it is not just Phenix City that is experiencing longer wait times but surrounding areas as well.

City Manager Wallace Hunter thanked the true, loyal and dedicated employees of Phenix City. Mr. Hunter stated that he is proud of all of his employees, the ones who have retired, the ones who have the years to retire but chose to stay and the ones who are here daily that give it their all.

City Manager Wallace Hunter stated that Mother's Day can be rough on those whose mothers are no longer with us. Mr. Hunter also stated that it should be a quiet urgency within a person to please their parents whether they are birth, adopted or foster parents. Mr. Hunter further stated that adoptive and foster parents are greatly appreciated. Mr. Hunter stated that with so many sad things going on around the world, it is good to think on the good things and the good people. Mr. Hunter challenged everyone to recognize and think about all the love that was shown to them while growing up.

City Manager Wallace Hunter stated that between him, Chief of Police Ray Smith and Fire Chief Kris Kennedy, there is over a 100 years of public safety service in Phenix City. Mr. Hunter also recognized Human Resource Director Stephanie Chastain in her 20<sup>th</sup> year of service, City Engineer Angel Moore in her 20<sup>th</sup> year of service, Finance Director Labrita King Copeland in her 14<sup>th</sup> year of service, Economic Development Manager Shaun Culligan with almost 12 years of service, Parks and Recreation Director Todd Hughes in his 25<sup>th</sup> year of service and IT Manager Mike Bauer was only 15 years old when he started working at the City's Library. Mr. Hunter further stated that City Clerk Melony Lee has been with the City almost 30

years and City Clerk Office Manager Shannon Davis has been with the City over 5 years. Mr. Hunter stated that Economic Development Planning Director Tracie Hadaway came to the City with 25 years of experience and Library Director Tammy Henry came to the City with over 20 years of public service. Mr. Hunter stated that he is grateful for the veterans of the City that push daily to see the City succeed. Mr. Hunter thanked Mayor, Council and City Attorney Jimmy Graham for their dedication to the City as well. Mr. Hunter stated that he loves Phenix City and will always do what is best for the City. Councilmember Day stated that he has served over 9 years on City Council and he has watched the City grow and is very appreciative to Mr. Hunter and the Department Heads. Mr. Hunter stated that it takes a person who has a servant's heart and truly cares for other people. Mr. Hunter also stated that the City's benefit packet and Alabama's Retirement packet is second to none. Mr. Hunter further stated that Phenix City is a great place to start a career.

Mayor Lowe stated that Council, City Manager and Department Heads may not always agree on everything but one thing that is unanimous is the love for each other and the love for the City of Phenix City. Mayor Lowe also stated that he is a firm believer in humility. Mayor Lowe further stated that showing humility is not a sign of weakness but of strength. Mayor Lowe encouraged everyone to put others first and be compassionate, caring, and a sacrificial leader.

City Manager Wallace Hunter wished the Chief of Police Ray Smith a Happy Birthday. Mayor and Council joined in with Mr. Hunter to wish Chief Smith a Happy Birthday and many more to come. Mayor Lowe thanked Chief Smith for having a servant's heart.

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 May 17, 2022.