

**MEETING MINUTES
July 19, 2022**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, July 19, 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.

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 July 5, 2022 Work Session and the July 6, 2022 Council 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, 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 Resolution No. 2022-129 to be ratified in reference to authorizing the Mayor and City Manager to enter into and sign a Service Agreement with Windstream Holding, Inc. to amend an existing thirty-six (36) month agreement.

RESOLUTION NO. 2022-129

Councilmember Day moved to ratify 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 Resolution No. 2022-130 to be ratified in reference to authorizing the Mayor and City Manager to accept and approve a Change Order for the cleaning of Digester 1 in an amount not to exceed \$94,620.00.

RESOLUTION NO. 2022-130

Councilmember Gordy moved to ratify 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 Resolution No. 2022-131 to be ratified in reference to authorizing the Mayor and City Manager to enter and sign a contract with Phenix Paving & Maintenance, LLC to pave the walking trail located at 14th Avenue Park in an amount not to exceed \$36,377.89.

RESOLUTION NO. 2022-131

Councilmember Day moved to ratify 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 approving and adopting the proposed budget for the 2022-2023 Fiscal Year.

RESOLUTION NO. 2022-132

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 a lease agreement between the City of Phenix City, Alabama and the Phenix City Art Council for an additional 2 years in the amount of \$1.00 per year.

RESOLUTION NO. 2022-133

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 declared that now was the time and place for a public hearing in reference to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2022 Local Formula Solicitation. Mayor Lowe stated anyone wishing to address council concerning the grant should come forward and do so at this time. Neither hearing nor seeing anyone come forward, Mayor Lowe declared the hearing closed. Mayor Lowe called upon Assistant Police Chief George Staudinger to give more information on the grant.

Mayor Lowe presented a resolution in reference to accepting the dedication of public right of way (ROW) between Marketplace Drive and US Hwy 280/431 N, through the "Right of Way dedication Plat for Marketplace Drive" Halpern Enterprises, Inc. & D G K, LLC, owners.

RESOLUTION NO. 2022-134

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 purchase of one (1) 2022 John Deere FC15M Flex Wing Rotary Cutter purchased under Sourcewell Vendor #110719-JDC (PG 1P CG 70) from Deere & Company in an amount not to exceed \$22,802.44.

RESOLUTION NO. 2022-135

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

Mayor Lowe presented a resolution in reference to declaring computers, cell phones, and miscellaneous equipment as surplus to be sold as scrap, or to be disposed of at the City Landfill.

RESOLUTION NO. 2022-136

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 the purchase of two (2) Grasshopper mowers model 337G5EFI with 61" cutting deck under State Contract #22-6640 purchased from Moridge Mfg., Inc. in the total amount of \$22,898.80.

RESOLUTION NO. 2022-137

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 and directing the Mayor, City Manager, and the Chief of Police to enter into a contract with the City of Auburn for Professional Services.

RESOLUTION NO. 2022-138

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

Mayor Lowe presented a resolution in reference to declaring \$14,656.00 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. 2022-139

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 for second reading an Ordinance to Amend the Code of Ordinances of the City of Phenix City, Alabama, Chapter 46 – Licenses, Taxation and

Miscellaneous Business Regulations, Article II – Sales Tax, Section 46-23 Levy of Tax, Section 46-24 Sales and Use Tax Rate in City Limits, Section 46-25 Sales and Use Tax Rate in Police Jurisdiction, Section 46-26 Privacy, and Add Sections: 46-27 Effective Date, Section 46-28 Severability, and Section 46-29 Repealer.

ORDINANCE NO. 2022-11

Councilmember Day moved to approve the ordinance, which motion was seconded by Councilmember Johnson. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Johnson, and Mayor Lowe. NAYS: Councilmembers Bailey and Gordy. ABSTAIN: None. The motion thus passed.

City Attorney Jimmy Graham presented a Claim against the City of Phenix City, filed by Lawrence W. Jelks. City Attorney Graham stated that a tree on City property fell onto Mr. Jelks property and damaged his fence. City Attorney Graham recommended denying the claim due to the City having no prior knowledge that the tree was diseased or damaged. 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 Council, City Manager Wallace Hunter, Department Heads and City Employees for all that they do for Phenix City.

Mayor Lowe stated that there are times in life when tough decisions have to be made. Mayor Lowe also stated that each individual must make their best decision to do what they think is right. Mayor Lowe encouraged everyone to be a lifter and not a leaner.

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 August 2, 2022.