

**MEETING MINUTES
December 6, 2022**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, December 6, 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.

Pastor Don Abrams of Trinity United Methodist delivered the invocation.

Councilmember Day 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 Mike Dempsey - 20 years and Assistant Chief of Police George Staudinger - 30 years.

Mayor Lowe presented the regularly scheduled meeting minutes of the November 14, 2022 Work Session and the November 15, 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 to be ratified in reference to authorizing the Mayor and City Manager to make application for grant assistance from the Alabama Department of Commerce for tuition reimbursement with Chattahoochee Valley Community College for Emergency Medical Technician training.

RESOLUTION NO. 2022-253

Councilmember Johnson 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 a resolution in reference to authorizing the Mayor and City Manager to sign settlement agreements.

RESOLUTION NO. 2022-254

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, and 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 enter into a Preliminary Engineering and Construction agreement with ALDOT for the Downtown Streetscapes Improvements along 14th Street from 9th Avenue to Broad Street, Project #TAPAA-TA23(922).

RESOLUTION NO. 2022-255

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 Mayor and City Manager to accept the Americans with Disabilities Act (ADA) Transition Plan for Facilities.

RESOLUTION NO. 2022-256

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 sign and enter into a contract with Terry Bussey for the purchase of property located on 14th Street in an amount not to exceed \$40,000.00.

RESOLUTION NO. 2022-257

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 purchase a Lamar 5'x10' 7K Mini Dump Trailer from Trailer World Acquisition Company, LLC in an amount not to exceed \$7,450.00.

RESOLUTION NO. 2022-258

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 amending the Fire Department Fee Schedule.

RESOLUTION NO. 2022-259

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 and directing the Mayor and City Manager to sign and enter into an agreement with (ESRI) Environmental Systems Research Institute, Inc. for a (3) three year (SGEA) Small Government Enterprise Agreement for GIS software in the amount of \$115,500.00.

RESOLUTION NO. 2022-260

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 establishing a fee schedule for the Phenix City-Russell County Library.

RESOLUTION NO. 2022-261

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 amending the Municipal Court Department fee schedule.

RESOLUTION NO. 2022-262

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 amending the Parks and Recreation Department fee schedule.

RESOLUTION NO. 2022-263

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 and directing the Mayor and City Manager to sign a MOU agreement with the Phenix City Housing Authority.

RESOLUTION NO. 2022-264

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 amending the Police Department fee schedule.

RESOLUTION NO. 2022-265

Councilmember Bailey 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, City Manager and Chief of Police to sign a service agreement with Knox Pest Control for an annual service amount of \$300.00 with a one-time upfront cost of \$849.00.

RESOLUTION NO. 2022-266

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 accept a proposal from ADS Environmental Services to provide cellular communication for flow monitors, rain gauges and annual calibration and technical assistance in an amount not to exceed \$4,090.00.

RESOLUTION NO. 2022-267

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 amending water-testing fees for the Utilities Department.

RESOLUTION NO. 2022-268

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 to Brenntag Mid-South for Liquid Chlorine in the amount of \$2,995.00 per ton.

RESOLUTION NO. 2022-269

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 one opening on the Phenix City – Russell County Library Board. Mayor Lowe stated that current member, Roger Dennis is willing to serve another term. Mayor Lowe called for a motion. Councilmember Johnson moved to reappoint Roger Dennis 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 one opening on the Tree Commission. Councilmember Gordy moved to table the appointment, 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 Virginia Mizell and Skie Chadwick. City Attorney Graham stated that on November 11, 2022, while driving near 3738 South Seale Road, Ms. Mizell struck a tree that was lying in the road and caused damage to their vehicle. City Attorney Graham recommended denying the claim due to that particular portion of Seale Road being outside the City limits and is maintained by Russell County. City Attorney Graham stated that he would reach out to Ms. Mizell and Ms. Chadwick to let them know that they need to file a claim with Russell County. Councilmember Day 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 Cullen Landers. City Attorney Graham stated that on November 7, 2022, while driving on 22nd Avenue near Central Highlands Apartments, Mr. Landers ran over a pothole and caused damage to his vehicle. City Attorney Graham recommended denying the claim due to the City having no prior notice of the pothole. 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.

City Attorney Jimmy Graham presented a Notice of Claim filed by Carpenter, Ingram & Mosholder, LLP on behalf of Jana Cone. City Attorney Graham stated that on July 5, 2022, Ms. Cone was involved in an incident as a passenger in a vehicle belonging to the Lee-Russell Council of Governments of which the City has no affiliation. City Attorney Graham recommended denying the claim. Councilmember Johnson 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.

Todd Hughes, Parks and Recreation Director, reminded Mayor and Council of the Ribbon Cutting Ceremony at the new Popular Springs Park on 14th Avenue, December 6, 2022 at 11:00 a.m.

Councilmember Bailey encouraged everyone to visit the Amphitheater and the Downtown area to observe the wonderful Christmas decorations that are on display. Councilmember Bailey stated that the areas look very festive. Councilmember Bailey thanked the City departments that put in their time and effort to make the Downtown area and Amphitheater a beautiful site. Councilmember Bailey stated that City Employees are the backbone of the City and because of their efforts Phenix City has come a long way. Councilmember Bailey thanked City Employees for their hard work and dedication to the City.

Councilmember Bailey stated that the 2022 Bi-City Christmas Parade was a success. Councilmember Bailey also stated that he enjoyed watching the parade for the first time in the past few years. Councilmember Bailey further stated that this time of year is a time to enjoy family friends, and the community. Councilmember Bailey encouraged everyone to be aware of their surroundings and help someone in need.

Councilmember Johnson stated that the City is growing in the right direction. Councilmember Johnson also stated that some of the resolutions that were passed were for the beautification of the City. Councilmember Johnson further stated that they will allow the City to take ownership of land to be developed and revitalized. Councilmember Johnson stated that Phenix City is about changing, growing, and prosperity for all of its Citizens. Councilmember Johnson thanked the Citizens for allowing herself, Mayor Lowe and Council to serve and represent the City.

Councilmember Johnson stated that the unveiling and ribbon cutting of the park on 14th Avenue has been a vision of City Manager Wallace Hunter for quite some time and it is good to see his vision come to life. Councilmember Johnson invited everyone to come out to the ceremony and celebrate with Council.

Councilmember Day thanked the Citizens for coming out to and supporting the 2022 Bi-City Christmas parade. Councilmember Day stated that he had the opportunity to be in the parade and had a nice crowd of citizens in attendance.

Councilmember Day stated that he agrees with Councilmember Bailey, the Downtown and Riverwalk area is beautiful. Councilmember Day thanked the Parks and Recreation Department, Public Works Department and all that were involved in putting up the beautiful decorations.

City Manager Wallace Hunter stated that he wanted to address the tragic event that happened in Phenix City over the past weekend. Mr. Hunter also stated that law enforcement agencies held a press conference in reference to the murders. Mr. Hunter further stated that with the investigation currently taking place, he doesn't want to give out too much information. Mr. Hunter stated that there were a lot of people out on Saturday December 3, 2022 with the parade and other events in the Bi-City area. Mr. Hunter also stated that his heart was saddened to hear the news of the murders that happened on the Riverwalk. Mr. Hunter further stated that law enforcement is doing everything that they can to make Phenix City a safe place to live. Mr. Hunter stated that he, along with everyone else, has a love for Phenix City and situations such as this

makes him sad. Mr. Hunter encouraged everyone to not be fearful, but be aware of their surroundings and if they see something out of the ordinary, please report it.

Mayor Lowe thanked City Manager Wallace Hunter, Council, and City Employees for their dedication to Phenix City.

Mayor Lowe stated that in spite of recent activities, Phenix City has so much to be thankful and grateful for. Mayor Lowe also stated that Phenix City is moving in the right direction, collectively with the right leadership whose wholesomeness and integrity shows character and the necessary virtues needed to improve the quality of life. Mayor Lowe further stated that for every negative thing we may hear about our community there are ten positive things going on in the community.

Mayor Lowe encouraged everyone as we come to the end of the year, to be a lifter and not a leaner and help someone else.

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 December 20, 2022.