

MEETING MINUTES
July 2, 2024

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, July 2, 2024 at 9:00 a.m. in the Council Chambers located within the Public Safety Building at 1111 Broad Street, Phenix City, Alabama 36867 Upon roll call, the following members of Council were present: Councilmember Arthur L. Day, Jr., Councilmember Vickey F. Carter, Councilmember Steve Bailey, Councilmember R. Griff Gordy, and Mayor Eddie N. Lowe. Also present were City Manager Wallace Hunter, Assistant City Manager Chan Gamble, City Attorney Jimmy Graham, and City Clerk Shannon Davis.

Upon a quorum being established, Mayor Lowe called the meeting to order.

Reverend Steve Pace of Summerville Baptist Church delivered the invocation as listed on the agenda.

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

City Manager Wallace Hunter and Human Resources Director Stephanie Chastain presented an employee service recognition award to Ricky Leonard – 5 years.

Mayor Lowe presented the regularly scheduled meeting minutes of the June 17, 2024 Work Session Meeting for approval. Councilmember Day moved to approve the minutes, which motion was seconded by Councilmember Carter. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Carter, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Bailey. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the June 18, 2024 Regular City Council Meeting for approval. Councilmember Gordy 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, Carter, Gordy, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Bailey. 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 and directing the legal counsel representing the City of Phenix City, Mayor and City Manager to execute the Consent Agreement and Order between the City of Phenix City and Ricky L. Patterson, owner of 1801 Knowles Road, Phenix City, Alabama.

RESOLUTION NO. 2024-126

Councilmember Day moved to approve a resolution which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Carter, 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 AlaTrade Foods.

RESOLUTION NO. 2024-127

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, Carter, 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 fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of a special assessment upon the properties located at 228 11th Avenue and 1300 21st Street. Mayor Lowe stated anyone wishing to address council on any of the properties should come forward and do so at this time. Neither hearing nor seeing anyone come forward, Mayor Lowe declared the hearing closed.

Mayor Lowe presented (2) resolutions in reference to the fixing of costs incurred by the City of Phenix City for the removal of substandard structures and the establishment of a special assessment upon the properties located at:

1. 228 11th Avenue

RESOLUTION NO. 2024-128

2. 1300 21st Street

RESOLUTION NO. 2024-129

Councilmember Day moved to approve the resolutions, which motion was seconded by Councilmember Gordy. Upon said motion being put to a vote, the following vote was recorded: Councilmembers Day, Carter, 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 an agreement with Alabama Power Company for a License Plate Reader (LPR) Camera system for the Police Department.

RESOLUTION NO. 2024-130

Councilmember Carter 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, Carter, 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 and enter into a Mutual Aid Agreement with the City of Auburn, Alabama, for professional services utilizing both Police Departments.

RESOLUTION NO. 2024-131

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

Mayor Lowe presented a resolution in reference to declaring several items as surplus to be disposed of at the landfill, destroyed at the Auburn University incinerator facility or relinquished to Property Room, Inc., to be sold at auction.

RESOLUTION NO. 2024-132

Councilmember Carter 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, Carter, 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 Change Orders No. 1 and 2 with P.F. Moon and Company, Inc., for the Waste Water Treatment Plant Primary Clarifiers Upgrade and Improvements Project.

RESOLUTION NO. 2024-133

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

Mayor Lowe presented for first reading an Ordinance to Amend the Code of Ordinances of the City of Phenix City, Alabama, Chapter 6, Relating to Alcoholic Beverages, Section 6.60. (b) Hours of Business for Alcoholic Beverages Licensees; Sale of Alcoholic Beverages to Minors; etc. Councilmember Day moved to place the ordinance on first reading, which motion was seconded by Councilmember Carter. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented for first reading an Ordinance to De-annex 0.95 +/- acres tract of land lying at Section 28, Township 18 North, Range 30 East, Lee County, Alabama, Jimmie Piland, owner. Councilmember Gordy moved to place the ordinance on first reading, which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented for second reading an application for an On Premise Beer License, On Premise Wine License and On Premise Whiskey/Wine License submitted by Annie M. Robinson dba Annie Maes Lounge Bar and Grill located at 900 Knowles Road, Phenix City, Alabama. City Clerk Shannon Davis read the Letter of Denial recommendation from Public Safety Director Raymond J. Smtih. Councilmember Gordy moved to deny the application which motion was seconded by Councilmember Bailey. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe presented for first reading an On Premise Beer License, On Premise Wine License, On Premise Whiskey/Wine License and Billiards or Pool Room License submitted by Chaserz Bar Lounge and Eatz LLC dba Kramers Sports Bar located at 3211 Martin Luther King Jr., Parkway South Unit B and C, Phenix City, Alabama. Councilmember Day moved to place the applications on first reading, which motion was seconded by Councilmember Gordy. YEAS: Councilmember Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

City Attorney Jimmy Graham presented a claim filed by Judy McClung. Mr. Graham stated that the claim alleges that on June 13, 2024, while driving behind Apple Bee's Restaurant located at Hwy 280/431 she hit a trench causing damage to her vehicle. Mr. Graham also stated that the location is private property and not maintained by the City and that it is his recommendation to deny 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: Councilmember Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

City Attorney Jimmy Graham presented a subrogation claim against the City of Phenix City, filed by Optum on behalf of Michael Kitchens. Mr. Graham stated that the claim alleges that on October 19, 2023, a vehicle owned by Michael Kitchens was involved in an incident but it is unclear what exactly occurred and how the City is responsible. Mr. Graham also stated that there was no police report filed and the information is unclear and that it is his recommendation to deny the claim. Councilmember Day moved to approve the City Attorney's recommendation to deny the claim, which motion was seconded by Councilmember Carter. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmember Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

City Attorney Jimmy Graham presented a subrogation claim against the City of Phenix City, filed by State Farm on behalf of Casey Layfield. Mr. Graham stated that the claim alleges that on November 11, 2023 a vehicle owned by Casey Layfield hit a pot hole causing damage to his vehicle. Mr. Graham also stated that two locations were listed within the claim form and there was no police report filed. Mr. Graham recommended that the claim be denied. 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: Councilmember Day, Carter, Bailey, Gordy, and Mayor Lowe. NAYS: None. ABSTAIN: None. The motion thus passed.

Mayor Lowe thanked the Department Heads for all of the work that they do.

Councilmember Bailey wished all a happy and safe 4th of July. He stated that we live in the best and freest country in the world.

Councilmember Day wished all a happy and safe 4th of July and reminded everyone not to drink and drive.

City Manager Wallace Hunter called upon Parks and Recreation Director Todd Hughes to speak in regards to the 4th of July celebration that the city puts on. Mr. Hughes gave a brief description of the events taking place for the celebration.

City Manager Wallace Hunter spoke about having true reform in individuals that have been incarcerated and that he and the Sherriff's department have been working on a program for some

time. Mr. Hunter went on to explain what the program entails. Mr. Hunter called upon Public Safety Director Ray Smith to speak in more detail on the program. Chief Smith stated that there are about twenty candidates and that they are getting ready to interview them to see which department would work best for them. Mr. Hunter wanted to let all know that the incarcerated individuals that are going to be considered are not hardened criminals. Chief of Police George Staudinger went on to explain some of the charges that those certain individuals are facing. Councilmember Day wanted to know how the individuals that are accepted in the program would receive their pay. Chief Staudinger said that the Sheriff is responsible for where the money goes and how it is distributed as far as paying outstanding fines, child support, bank accounts, etc.

Councilmember Carter inquired if that the majority of the individuals in the program are going to be males and wanted to know about any females participating. City Manager Hunter said the program is inclusive to everybody.

Mayor Lowe thanked the County, City and all of the Department Heads for the jobs that they do, and also thanked CTV-Beam for bringing the council meeting to the citizens.

There being no further business to address, the meeting thus adjourned until July 16, 2024.