

**MEETING MINUTES  
November 5, 2024**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled council meeting on Tuesday, November 5, 2024 at 9:00 a.m. at 1111 Broad Street, Phenix City, Alabama, 36867. Upon roll call, the following members of Council were present: Councilmember Arthur L. Day, Jr., Councilmember Vicky 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, Summerville Baptist Church delivered the invocation as it is listed on the agenda.

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

Human Resource Director Stephanie Chastain and the City Manager Wallace Hunter presented an employee service recognition award to Public Safety Director Raymond Smith– 35 years.

Mayor Lowe presented a proclamation recognizing the Alabama Farm-City Week 2024.

**PROCLAMATION**

Pam Ward with the Women's' Leadership Commission, Farm City Federation and Jennifer Davidson with the Russell County Extension Office, came forward to accept the proclamation.

Mayor Lowe presented the regularly scheduled meeting minutes of the October 15, 2024 Work Session Meeting for approval. Councilmember Day moved to approve the minutes, 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, and Mayor Lowe. NAYS: None. ABSTAINS: Councilmember Gordy. The motion thus passed.

Mayor Lowe presented the regularly scheduled meeting minutes of the October 16, 2024 Council Meeting for approval. Councilmember Gordy 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, 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. 2024-218 to be ratified in reference to accepting a bid from Warr Grading Contractor, Inc., to repair water leaks for the Phenix City Utilities Department.

**RESOLUTION NO. 2024-218**

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

Mayor Lowe presented Resolution No. 2024-219 to be ratified in reference to authorizing and directing the Mayor and City Manager to hire Warr Grading Contractor, Inc., to repair a portion of the sewer main, north of 8th Street and 12th Court for \$3,445.00 and to replace said sewer main for an amount not to exceed \$79,686.00.

**RESOLUTION NO. 2024-219**

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

Mayor Lowe presented a resolution in reference to a one-time compensation for fulltime employees.

**RESOLUTION NO. 2024-220**

Councilmember Gordy moved to approve the resolution, 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. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to a one-time compensation for retirees, pensioners and beneficiaries.

**RESOLUTION NO. 2024-221**

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

Mayor Lowe presented a resolution in reference to a one-time longevity payment.

**RESOLUTION NO. 2024-222**

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 and enter into a Service Agreement with Pastoral Institute, Inc., for counseling and referral services for City Employees and their dependents.

**RESOLUTION NO. 2024-223**

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

Mayor Lowe presented a resolution in reference to reappointing the Senior Municipal Court Judge.

**RESOLUTION NO. 2024-224**

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 reappointing the Assistant Municipal Court Judge.

**RESOLUTION NO. 2024-225**

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

Mayor Lowe presented a resolution in reference to awarding bid to All Season Lawn Care for the demolition and removal of structure located at 1700 21st Court (formerly Medical Park Building) in the amount of \$99,995.00.

**RESOLUTION NO. 2024-226**

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 four resolutions in reference to awarding bids for the demolition and removal of structures of the following properties:

1. 2001 6th Avenue – Great Southern Furniture - \$9,600.00

**RESOLUTION NO. 2024-227**

2. 1608 8th Avenue – Great Southern Furniture - \$9,200.00

**RESOLUTION NO. 2024-228**

3. 1004 North Railroad Street – Complete Demolition - \$15,000.00

**RESOLUTION NO. 2024-229**

4. 2507 16th Place – All Season Lawn Care - \$26,000.00

**RESOLUTION NO. 2024-230**

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: 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 rejecting bids received for the demolition of 1000 18th Avenue.

**RESOLUTION NO. 2024-231**

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 authorizing the Mayor and City Manager to enter into and sign a contract between America A. Cross, Richard L. Cross, Jr., and Vicki S. Cross for the purchase of property located at 1103 5th Avenue in the amount of \$225,000.00 plus applicable closing costs.

**RESOLUTION NO. 2024-232**

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

Mayor Lowe presented a resolution in reference to accepting the dedication of public utilities and easements dedicated by the Final Plat of the subdivision known as "Evans Crossing Subdivision" Evans Road Development, LLC, owner.

**RESOLUTION NO. 2024-233**

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, Carter, 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 accept the granting of a utility easement to Alford of Alabama, LLC ("Schnitzel Lot").

**RESOLUTION NO. 2024-234**

Councilmember Day moved to approve the resolution, 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. 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 Sunbelt Fire for a 14 foot enclosed Mobile Breathing Air Trailer in an amount not to exceed \$90,000.00.

**RESOLUTION NO. 2024-235**

Councilmember Carter 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 authorizing and directing the Mayor and City Manager to sign Change Order No. 1 with Ben B. Gordy Construction Company for the property and evidence warehouse project.

**RESOLUTION NO. 2024-236**

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

Mayor Lowe presented a resolution in reference to declaring various tasers and taser batteries listed on "Exhibit A" as surplus to be traded in for new tasers as part of the five year agreement with Axon Enterprises.

**RESOLUTION NO. 2024-237**

Councilmember Day moved to approve the resolution, 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. ABSTAINS: None. The motion thus passed.

Mayor Lowe presented a resolution in reference to declaring various vehicles listed on "Exhibit A" as surplus to be sold to the highest bidder at a public auction or sold as scrap if no one purchases them.

**RESOLUTION NO. 2024-238**

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

Mayor Lowe presented for first reading an Ordinance to amend Ordinance No. 2015-15 of the Code of Ordinances of the City of Phenix City, Alabama, Chapter 70 (Formally Known as Chapter 12) Section 70-31. Franchise Fee Established. Councilmember Day moved to place the ordinance 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.

Mayor Lowe presented for second reading an application for an On Premise Beer, Off Premise Beer, On Premise Wine and Off Premise Wine license, submitted by Heike Horning for German Foods Gifts and More, LLC dba The Schnitzel Lot located at 505 13th Street Suite A and B, Phenix City, Alabama. Councilmember Carter moved to approve the applications, which motion was seconded by Councilmember Bailey. 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, On Premise Wine and On Premise Whiskey/Wine license, submitted by Yavondria Johnson for TKJ & Companies, LLC dba Intuition Lounge located at 2061 US Highway 431, Phenix City, Alabama. Councilmember Day moved to approve the applications, which motion was seconded by

Councilmember Carter. YEAS: Councilmember Day. NAYS: Councilmember Carter, Councilmember Bailey, Councilmember Gordy and Mayor Lowe. ABSTAIN: None. The motion did not passed.

City Attorney Jimmy Graham presented a claim against the City of Phenix City, filed by Sammeke Times. Mr. Graham stated that Ms. Times alleges that on April 21, 2024 the suspension on her 2011 Range Rover was damaged when she struck a pothole on 4<sup>th</sup> Avenue. Mr. Graham also stated that under the Alabama Law, she has six months from the date of the incident to file a claim and the City received the claim on October 29, 2024 which is eight days late. Mr. Graham further stated that based off of the information provided by the Public Works Department, they did not have proper notice of the pothole. Mr. Graham stated that based on both of reasons, his recommendation is to deny the claim. Councilmember Gordy moved to approve the recommendation, 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 the Mayor and City Manager to negotiate and sign the final contract to award the Collection and Disposal Services for residential garbage, trash, recyclables and leaves for the City of Phenix City to 121 Disposal, Inc.

#### **RESOLUTION NO. 2024-239**

Councilmember Gordy moved to approve the resolution, 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. ABSTAINS: None. The motion thus passed.

Councilmember Bailey stated that today is Election Day and encouraged everyone to get out and vote for the candidates of their choice. Councilmember Bailey also stated that it is very important to our Country that we have fair elections. Councilmember Bailey further stated that whether the results come out like you may want or not, it is important to accept them because it is the people of this Country that are supposed to be in control, not the politicians or the judges. Councilmember Bailey stated that he recently went to Arlington Virginia and visited the Arlington National Cemetery and that three hundred thousand men and women served our Country are buried in the cemetery and continued to be buried there every day that either died in the line of duty or peacefully of old age. Councilmember Bailey also stated that it was very humbling and heartwarming to know that people care that much about our Country and serve our Nation and to give their sacrifice, sometimes the ultimate sacrifice and some do for the rest of their lives through PTSD, loss of a limb or loss of a loved one. Councilmember Bailey further stated that when people serve our Country, their whole family is serving, just as our Police Officer's and Firemen are serving and this is something we need to remember. Councilmember Bailey stated that this world is made up of so many unselfish people and encouraged everyone to pray for each and every one and as Mayor Lowe always states, let's lift up each other and give one another a helping hand. Councilmember Bailey also stated that this Saturday, November 9, 2024 will be the Veteran's Parade and encouraged everyone to remember the veterans that have served and that because of them, we can go into any public buildings of our choice and that we are so fortunate to live in our Country. Councilmember Bailey further stated to please remember to vote regardless of the outcome and that we still live in the best nation in the World, the best state in the Country and the best City in the state.

Councilmember Day encouraged everyone that when they see a service person in the community to stop and say thank you as well as to the police officers, fire personnel and emergency technicians that risk their lives for all of us every day.

City Manager Wallace Hunter asked that everyone stand and give Public Safety Director Chief Raymond Smith a round of applause. Mr. Hunter stated that he appreciated the time and commitment given to the City by Chief Smith in his 35 years of service. Everyone applauded and thanked Chief Smith for his many years of dedicated service to the City.

Mr. Hunter encouraged everyone to visit the Phenix City Russell County Library to see all of the new changes that have been made to the Library and that Director of Library Tammy Henry is doing an excellent job and he wanted to wish her a Happy Birthday. Mr. Hunter stated that we have to make a living and do things for our families and that there is always something more important than money and that it is hard to place a true value on a person. Mr. Hunter also stated that in the profession that the City employees are in is to serve the citizens and it can be a thankfulness job but that it is rewarding to see how much we have accomplished. Mr. Hunter thanked all of the department heads for what they do and all of the citizens for understanding what we have to do.

Mayor Lowe stated that at the end of the day, it is all about the people and that we can be the smartest and the brightest but we have to have sympathy, caring and love for each other. Mayor Lowe also stated that at this time of year, we show more gratitude and gratefulness and he wanted to encourage the community to do it year round. Mayor Lowe thanked the Council and that he loved each and every one of them. Mayor Lowe stated that he heard City Manager Wallace Hunter state that he and Public Safety Director Ray Smith pushed each other through-out their career and that we have to push each other because if we do not then we do not really care about one another and we do it because we want what is best. Mayor Lowe asked that everyone keep him accountable and that he asked that all of the citizens that if they see something throughout the City that is not right, to call and let them know and that if they make a mistake they want to know. Mayor Lowe stated that at the end of the day it is about the people.

Mayor Lowe thanked CCTV Beam for bringing the meeting to the Citizens of Phenix.

There being no further business to address, the meeting thus adjourned until November 19, 2024.