

**WORK SESSION MEETING MINUTES  
FEBRUARY 6, 2017**

The members of the City Council of the City of Phenix City, Alabama met in a regularly scheduled work session at 3:00 pm, Monday, February 6, 2017 in the auditorium of the Central Activities Center located at 1500 14<sup>th</sup> Street, Phenix City, Alabama. Upon roll call the following members were present: Councilmember Arthur L. Day, Councilmember Johnnie C. Robinson, Councilmember Steve Bailey, Councilmember R. Griff Gordy, and Mayor Eddie N. Lowe. Also present were City Manager Wallace B. Hunter, City Attorney Jimmy Graham, City Attorney James McKoon, and City Clerk Charlotte Goodrich. Department Heads in attendance were: Chief Building Official Gil Griffith, Economic Development Manager Shaun Culligan, Economic Development Planning Specialist Jennifer Lowman, City Engineer Angel Moore, Assistant City Engineer Mike Patillo, Finance Director Stephen Smith, IT Manager Mike Bauer, Fire Chief Kris Kennedy, Library Director Michele Kilday, Municipal Court Clerk Pam Jarrell, Parks and Recreation Director Todd Hughes, Parks and Recreation Assistant Director Skip Hansberger, Human Resources Director Stephanie Chastain, Chief of Police Ray Smith, and Utilities Engineer John Spraggins.

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

The invocation was led by Councilmember Gordy.

Mayor Lowe called upon Marla S. Smith with ADEM (Stormwater Management Branch – Water Division) to address council as listed on the agenda. Mayor Lowe advised the audience she was here to give the presentation to council; therefore, the audience would not be addressing any questions to her. Anyone who has any questions concerning the Storm Water Management Plan can give the question to their Councilmember who will respond back with an answer. Ms. Smith came forward and discussed the following topics during her presentation:

1. MS4 Permit Requirements – The city is considered in the MS4 Phase II category and was issued a permit on September 6, 2016, effective October 1, that expires in 2021; the city has been required to comply with ADEM for the past 16 years. In an August 2016 audit, ADEM found deficiencies in the city's compliance. Penalty costs could range anywhere from \$6,000 to \$135,000.
2. Public Education and Public Involvement on Stormwater Impacts
3. Illicit Discharge Detection and Elimination Program (IDDE)
4. Construction Site Stormwater Runoff Control
5. Phase II – Post – Construction Requirements
6. Pollution Prevention/Good Housekeeping for Municipal Operations
7. Monitoring 303(d)/TMDL Water Bodies
8. MS4 Permit Enforcement
9. State Bill (SB)355 – Act 2014-439 – Passed April 10, 2014
10. ADEM Contact Information

After her presentation concluded, the following topics were discussed with Ms. Smith:

1. Time frame of bringing the city into compliance and the penalty cost – Ms. Smith advised the city should already be in compliance and there is no set penalty. City Manager Wallace Hunter advised the city already had a policy, what is changing is the enforcement.
2. Business Options – Ms. Smith advised that ADEM does not tell cities how to regulate their policies. She discussed what options other cities offered to their businesses.
3. Length of Permits – Ms. Smith advised the permit is good for Five Years and the cost is \$1,385.00. Businesses can go directly to ADEM and obtain a permit.
4. Adoption of Ordinance – Ms. Smith advised the MS4 Permit is required for the city to be in compliance. The City is responsible for anything other than stormwater going into the stormwater drainage system. The City could be fined a fee per day, each day it is out of compliance. The City decides which business permits to issue. Municipalities typically adopt Ordinances to enforce the permit, other bodies that are not municipalities adopt regulations.
5. Businesses Affected – Ms. Smith advised the city decides what businesses the ordinance will effect; however, she stated again that nothing but stormwater can go into the stormwater drain. Council discussed that it could potentially affect every business. City Manager Wallace Hunter advised no one business or person has been targeted.
6. ADEM Audit will show where the city failed; the audit is sent to the Mayor.
7. Options for Businesses: Per City Engineer Angel Moore, the following three options are available: 1)obtaining an industrial permit from ADEM; 2) tie in to the city's sanitary sewer line; or 3) submit an acceptable Best Management Practices (BMP) Plan to the city on how run-off would be handled.
8. City Stormwater Management Plan to include the IDDE – City Engineer Angel Moore advised ADEM's requirements were used as the basis of the city's Stormwater Management Plan.
9. Contact Information – citizens can contact the Engineering Department with their questions/concerns; or they can contact their council representative with any questions; or they can contact ADEM directly; or they can go on the city's website and look at the information posted.

Mayor Lowe thanked Ms. Smith for her presentation and answering council's questions.

Mayor Lowe called upon Gil Dyer to address council. Mr. Dyer came forward with his request that council not be selective in enforcing the proposed Stormwater Ordinance. City Engineer Angel Moore advised that the proposed ordinance will impact many businesses. Mr. Dyer inquired where to get biodegradable soap. Fire Chief Kris Kennedy gave Mr. Dyer the contact information of a company the Fire Department uses. Mayor Lowe thanked Mr. Dyer for coming into speak with council.

Mayor Lowe called upon Christopher D. Quigley of Peoples & Quigley, Inc. to address council as listed on the agenda. Mr. Quigley came forward to deliver his presentation on his

2016 Dam Inspections. Mr. Quigley advised Alabama is the only state in the country without a state dam safety program. A state bill was presented in 2014, but failed to pass; however, regardless of the law, dam owners are obligated to keep their structures in good working order to minimize the potential of downstream property damage and loss of life. The Georgia Department of Natural Resources Environmental Protection Division Safe Dam Regulations was used as a guide. Mr. Quigley discussed the following topics during his presentation:

1. Standard of Care: Normal Maintenance – Inspect quarterly for animal burrows, cracks, erosion, clogged spillways, seepage/leaks, etc. Examine gates and valves yearly. Remove inappropriate vegetation and debris. Repair all eroded areas and establish permanent grass stand. Repair erosion along the water's edge. Cut grass at least twice per year.
2. Silver Lake and Lakewood Park Dams – These two dams are together. Phase 1: Vegetation removal. Phase 2: Masonry & Piping repairs. Proceed with Bidding and Construction.
3. Lakewood Golf Course Dam – Phase 1: Vegetation removal. Phase 2: Masonry & Piping repairs. Critical Needs: Replace failed spillway piping and add headwall and plunge pool. Repair erosion at emergency spillway outlet.
4. Idle Hour Moon Lake Park Dam – Phase 1: Vegetation removal. Phase 2: Masonry & Piping repairs. Critical Needs: Regrade ditches away from embankment. Pipe spring head away from embankment. Repair eroded areas along slope. Repair principle spillway eroded channel at headwall and install plunge pool. Add emergency spillway with concrete apron.
5. Austin Sumbry Park Lake Dam – Phase 1: Vegetation removal. Phase 2: Masonry & Piping repairs. Critical Needs: Regrade ditch away from embankment. Repair eroded slopes caused by embankment over topping. Abandon outlet structure which is in major disrepair. Install new outlet using siphon pipe. Construct plunge pool at outlet. Add emergency spillway with concrete apron.

After the presentation concluded, council asked which dam was the worst/most critical. Mr. Quigley advised Idle Hour Moon Lake Park Dam was the most critical because of the potential for property damage and/or loss of life. Council asked what would be the cost range for the repairs. Mr. Quigley advised it is best to bid out the work and see what the contractors bid price is. Mayor Lowe thanked Mr. Quigley for coming in to speak with council.

Mayor Lowe called upon City Engineer Angel Moore to review the actions taken by the Planning Commission during the January 24, 2017 meeting.

City Clerk Charlotte Goodrich reviewed the calendar with council. She reminded everyone that due to President's Day Holiday, the Work Session will be Tuesday, February 21<sup>st</sup> and the Council Meeting will be Wednesday, February 22<sup>nd</sup>.

City Clerk Charlotte Goodrich reviewed upcoming board expirations with council. Council asked the Clerk's Office to contact the board members to inquire if they would be interested in serving another term.

Mayor Lowe called for a 10 minute break.

Upon reconvening, Mayor Lowe and council discussed the following while reviewing the monthly department reports:

1. Lighting at 431/College Park Drive
2. Lakewood Drive morning/afternoon Traffic

Mayor Lowe called upon the Building Department and Economic Development Department to give their departmental review. City Manager Wallace Hunter advised the departmental review will be presented at the February 21, 2017 Work Session.

Mayor Lowe discussed Agenda items with Council.

City Attorney Jimmy Graham reviewed claims on the agenda with council.

Mayor Lowe called for an Executive Session for approximately 15 minutes to discuss Economic Development from which the meeting would adjourn. Mayor Lowe requested Mr. J. W. Brannen to stay for the Executive Session. Councilmember Day made a motion to go into Executive Session, which motion was seconded by Councilmember Bailey. All were in favor.

Council went into Executive Session at 5:30pm.

Council came out of Executive Session at 5:50pm.

There being no further business, the meeting adjourned until 3:00 p.m., Tuesday, February 21, 2017.