

**WORK SESSION MEETING MINUTES
MAY 1, 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, May 1, 2017 in the third floor conference room of the Municipal Building located at 601 12th Street, Phenix City, Alabama. Upon roll call the following members were present: Councilmember Arthur L. Day, Councilmember Johnnie C. Robinson, Councilmember Steve Bailey, Councilmember Griff Gordy, and Mayor Eddie N. Lowe. Also present were City Manager Wallace B. Hunter, City Attorney Jimmy Graham, City Attorney Jim McKoon, and City Clerk Charlotte Goodrich. Department Heads in attendance were: Chief Building Official Gil Griffith, Economic Development Manager Shaun Culligan, City Engineer Angel Moore, Utilities Director Stephen Smith, Interim Finance Director Labrita King Copeland, IT Manager Mike Bauer, Fire Chief Kris Kennedy, Golf Course Manager Julie Taylor, Library Director Michele Kilday, Municipal Court Clerk Pam Jarrell, Parks and Recreation Director Todd Hughes, Human Resource 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 Bailey.

Mayor Lowe called upon Scott Holmes, Chairman of the Downtown Redevelopment Authority, to address council as listed on the agenda. Mr. Holmes came forward to update council on the status of the Façade Guidelines. He asked for a meeting between the DRA and Council to review the current Façade Guidelines and decide on changes; the DRA would report the changes back to The Jaeger Company and pay any fees involved in updating the Façade Guidelines; the DRA would report back to the council with the updated Façade Guidelines for review, and the Council would set a Public Hearing date for final approval. Council advised Mr. Holmes they would meet with the DRA on Monday, May 15, 2017 at 2:00 pm.

Mayor Lowe called upon James S. McGill, representing BFL, LLC, to address council as listed on the agenda. Mr. McGill came forward to request a Maintenance Agreement between the city and BGL, LLC (Mike Bowden) for a commercial development located on Riverchase Drive. City Engineer Angel Moore advised the previous council was approached about building a road on city property behind the baseball field; Mr. Bowden has agreed to warrant it for a period of two years, after which the city would take over the right-of-way for maintenance; there would also be a detention facility on city property, and if the city agreed to the road, the city would not be responsible for the maintenance of the detention facility. Ms. Moore further explained a set of construction plans have been submitted for this project, but they cannot be approved until a Maintenance Agreement is approved. Ms. Moore advised once council gives its approval, the city attorney should draft up an agreement stating Mr. Bowden is allowed to encroach on the city's property and is given the approval to start construction of the road. After the road is built, an agreement should be drafted up for the detention facility. Council directed City Attorney Jimmy Graham to draft up the agreement.

Mayor Lowe called upon James S. McGill, representing Charles Campbell Construction, Inc., to address council as listed on the agenda. Mr. McGill came forward to request a variance from the City Erosion and Sediment Control Policy. Mr. McGill asked council to treat a proposed development on a 1.05 acre property as if it were located on a 0.99 acre property for the purposes of alleviating the detention pond requirement due to site specific restrictions. He advised a 75,000 square foot Convenience Store/Gas Station would be built on this lot. He further advised there is a second option he could do: the project could be reduced to less than an acre; therefore no waiver would be needed. City Engineer Angel Moore advised he would need to resubmit plans to her office showing the changes of using less than an acre. Mr. McGill advised this option would be the better of the two. There was discussion on where the entrances for the project would be. City Engineer Angel Moore advised once the new plans are submitted to her office, they will be reviewed; there will be no need for the project to go before the Planning Commission or the City Council. City Manager Wallace Hunter advised this is just one issue. There is another issue to be discussed. Mr. Billy Tate asked to be recognized so that he could bring up an issue with this proposed development.

Mayor Lowe called upon Billy Tate, of Tate Furniture, to address council as listed on the agenda. Mr. Tate came forward to voice his objection to the previously discussed Convenience Store/Gas Station being built. He asked council to remember the galvanized pipe failure and sink hole, that cost the city close to a million dollars to repair, was located on this piece of property. He advised that not only did the city have to replace the failed pipe with concrete; the city also had to go into the remaining galvanized pipe and line it with concrete. He advised he is not against anything being built on this property; however he asked council not to approve the underground gas tank because when the remaining galvanized pipe (that was lined with concrete) that runs under this property collapses it could cause the underground gas tank to leak, and if it leaks, it could leak into a creek and become an environmental hazard. Mr. Tate stated he would like a copy of the environmental study. Mr. Tate discussed not giving permission for a storm line to be located on his property for this project. City Engineer Angel Moore advised council that the plans currently show a storm line being located on Mr. Tate's property, which makes an agreement necessary; OR the plans will need to be revised with the storm line moved off of Mr. Tate's property. Mr. McGill and Ms. Moore had a discussion about what else the city needs. Ms. Moore advised Mr. McGill the city will need a study that shows that any additional water put on this storm line will be able to be carried away without any adverse impact downstream. There was discussion on tying into a city line as long as it is inside the easement. Council asked Mr. McGill to have an environmental study done.

Mayor Lowe called upon City Engineer Angel Moore to review the actions taken by the Planning Commission during the April 25, 2017 meeting.

City Clerk Charlotte Goodrich reviewed the calendar with council. She reminded council of the following: The Alabama League of Municipalities Conference; Relay for Life Event; and the Downtown Redevelopment Meeting with Council.

Council discussed the following with City Manager Wallace Hunter: the cost and effects of vandalism at various parks; and what services Zayo, LLC (a fiber-optic transmission line) provides.

City Engineer Angel Moore and Chief Building Official Gil Griffith discussed the Zoning Ordinance and how it applies to specific rezone properties; they discussed 24 month Time Extension Requests made by developers since the Subdivision Regulations were amended; they went over the Indemnification Clause required by engineers before approval of a subdivision; and they discussed the number of subdivisions that have available lots in which the Indemnification Agreement does not apply.

Councilmember Arthur L. Day, Jr. left at 4:56 p.m.

Mayor Lowe called for a 10 minute break.

Upon reconvening after the break, Mayor Lowe discussed Agenda Items with Council.

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

Economic Development Manager Shaun Culligan advised of two abatement resolutions and he asked that they be added to the agenda:

1. JVL Laboratories, Inc. – City Council approved an abatement for them on January 18, 2017; an amended resolution was also approved for an increase in the amount of investment in manufacturing equipment; however, the Alabama Department of Revenue also needs an Amended Tax Abatement Agreement.
2. AIS America, LLC – City Council approved an abatement for them on February 22, 2017; AIS America, LLC is the Operating Company. A separate company, AKIG, LLC is an investment group that is the Holding Company. AIS America, LLC is responsible for the equipment purchase and sales and use taxes; AKIG, LLC is responsible for the Real Estate and Property Taxes. Therefore, an abatement needs to be done for both companies.

Council advised that the resolutions may be placed on the agenda, under the City Manager's portion.

There being no further business, the meeting adjourned until 3:00 p.m., Monday, May 15, 2017.