

**WORK SESSION MEETING MINUTES  
February 5, 2018**

The members of the City Council of the City of Phenix City, Alabama met at 9:00 a.m. Eastern Time for the regularly scheduled work session on Monday, February 5, 2018 in the third floor conference room of the Municipal Building located at 601 12<sup>th</sup> Street, Phenix City, Alabama. Upon roll call, the following members 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 B. Hunter, City Attorney Jimmy Graham, City Clerk Melony Lee. Department Heads in attendance were: Chief Building Official Gil Griffith, Utilities Director Stephen Smith, Finance Director Labrita King Copeland, Economic Development Planning Specialist Shaun Culligan, City Engineer/Director of Public Works Angel Moore, Fire Chief Kris Kennedy, Golf Course Manager Julie Taylor, IT Manager Mike Bauer, Parks and Recreation Director Todd Hughes, Library Director Michele Kilday, Human Resources Director Stephanie Chastain, Chief of Police R. J. Smith, and Utilities Engineer John Spraggins.

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

The invocation was led by Councilman Bailey.

Mayor Lowe called upon Shawanda Terry to address council as listed on the agenda. Ms. Terry was not present.

Mayor Lowe called upon City Engineer Angel Moore to discuss the actions taken by the Planning Commission at their January 23, 2018 meeting.

Mayor Lowe called upon City Clerk Melony Lee to review the February and March calendars with Council.

City Clerk Melony Lee also advised Mayor and Council of upcoming board appointments to the Historic Preservation Commission and the Phenix City-Russell County Library Board.

Councilmember Vickey Carter Johnson asked City Engineer Angel Moore about the compliance of businesses with the MS4. City Engineer Angel Moore advised that 16 businesses had not responded to the deadline of the Notice of Compliance. City Engineer Angel Moore advised that the city will be sending a Notice of Code Violation of IDE Compliance; and Notice of Code Violation for operating without a city business license. Councilmember Bailey advised that he had spoken to all the businesses that were not in compliance so he knew they had been notified. City Manager Wallace Hunter advised that all the businesses needed to do was to submit a letter stating that they were working on getting the business in compliance with the ordinance.

Councilmember Gordy asked Chief Building Official Gil Griffith about the Commercial Building Permits at Riverchase. Mr. Griffith advised that Mr. Campbell is the owner of the building. Councilmember Gordy advised that he just wanted to make sure that the city had the right property owner.

Councilmember Gordy asked Parks and Recreation Director Todd Hughes about the goal of what the golf course should be bringing in a day. Parks and Recreation Director Todd Hughes advised that the golf course made an average of \$2,800 per day. Councilmember Day asked if this figure was more in the summer than winter. Parks and Recreation Director Todd Hughes advised that the summer months were busier and winter was slower but it averaged out to \$2,800 per day and that was good.

Councilmember Day inquired about the splash pad at Idle Hour Park. Parks and Recreation Director Todd Hughes advised that the splash pad would be installed sometime before school ended for the summer. City Manager Wallace Hunter advised by summer all districts of the city would have a splash pad.

Councilmember Day asked City Attorney Jimmy Graham to update council on the property on 5<sup>th</sup> Street for demolition. City Attorney Jimmy Graham advised that he had closed all of the properties but one. The property is currently going through probate since the property owner was now deceased. Once probate is done, the attorney will send in a waiver and City Attorney Jimmy Graham can go forward finalizing it.

City Attorney Jimmy Graham inquired if the city had an easement from ALDOT and Southern Natural Gas for 5<sup>th</sup> Street South. City Engineer Angel Moore advised it was going to cost about \$60,000 to get the gas lines relocated; now they are going to grant a permanent easement and it will be at no cost. City Attorney Graham stated he would contact Raymond Jackson and advise him.

Councilmember Day inquired about what the plans are for on District Three parks. City Manager Wallace Hunter advised that the budget process would be started in the next couple of months. Councilmembers should get a plan together from their districts of what needs to be done when the revenues are examined so that projects can be added to the budget for the coming years. Councilmember Day asked City Manager Wallace Hunter if the city could ask the State for grant monies for some of the district's projects. City Manager Wallace Hunter advised that the city always looks for grants to help fund projects.

Councilmember Day thanked Library Director Michele Kilday for all her hard work making the library's program a success for the kids and the community.

Councilmember Day asked Utilities Director Stephen Smith about the wastewater treatment project. Utilities Director Stephen Smith advised Mayor and Council that the project is finished except for:

1. – The lid for Digester #3 is going to be replaced. This will cost about \$900,000 of which the funds are in the bank. The contracts through the engineering department will be on the next agenda.
2. - Water infiltration from rainwater. This will be around \$110,000 to fix the problem. This will be the last of Phase Three that will be completed during the summer. The next phase will be at the end of 2018 to fix the building and some other projects in the amount of roughly four million to be completed in 2019.

Councilmember Day asked City Manager Wallace Hunter how the project up on Rivercahse was proceeding. Utilities Director Stephen Smith advised that the city was in the testing phase at the moment. The city had completed the installation of the lines but had a small leak that has proved to be difficult to locate. After the leak is fixed then it will be hooked into the developer's line.

Councilmember Day asked City Manager Wallace Hunter about the Highway 431 Project. He advised the city is waiting on corrected plans but they are able to start clearing the land and removing stumps.

Councilmember Day asked City Engineer Angel Moore what the city was doing at the back of his residence. City Engineer Angel Moore advised that the city was replacing a pipe.

Councilmember Bailey asked City Engineer Angel Moore about the red light at Riverchase. City Engineer Angel Moore advised that she had met with ALDOT and the project should be completed by April 2018.

Councilmember Bailey asked about Spire Gas Company's installation of gas lines. He had several calls from citizens of the surrounding 20 to 25 properties that the line was all the way up to their houses. Utilities Director Stephen Smith advised that the company installing the lines was a private company and the citizens should be referred to them. It was not the city doing the work. The lines should be just on the right of way and not all the way up to the houses. City Manager Wallace Hunter advised that it depends on the age of the line and where the line is located.

Mayor Lowe advised Council that he had spoken with Senator Shelby about getting funding for the Homage Park project since it was a military park. Senator Shelby advised that the city must present the request in the form of a grant. The grant needed to be under Urban Renewal, Economic Development or Veteran Housing because there was no money for Parks.

Councilmember Day inquired about reimbursement funding sent in for the storm damage. City Engineer Angel Moore advised FEMA will cut the check. Councilmember Gordy asked what would happen to the funds once the city received them. Utilities Director Stephen Smith advised that the city would hold those funds for special expenditures.

Mayor Lowe asked Chief Building Official Gil Griffith to present Council with the Building Department breakdown. Chief Building Official Gil Griffith went over the makeup, direction, and services of the Building Department.

The following was discussed under items for discussion:

1. Post Office expansion - The Post Office is interested in purchasing city property to expand where they are now but only if the private land owner is willing to sell their part.
2. Department of Human Resources plans for a new building - The DHR is interested in putting a building on Opelika Road. City Manager Wallace Hunter advised Mayor and Council that DHR would be in a contract with the city to lease the building and property so the city could recoup the monies spent for the building and property.
3. Central Activities Center Heating and Air - City Engineer Angel Moore advised Mayor and Council to upgrade the air conditioner would be from \$900,000 to \$1.3 million. Parks and Recreation Director Todd Hughes advised that the current system was failing due to the age and the pipes not getting the proper cold water circulated to cool the building. City Manager Wallace Hunter advised that the bids may have to be rejected if they are over the allotment of \$300,000. Then the project might need to wait until the next budget year.
4. Tethering Ordinance – Currently the City of Phenix City has in place an ordinance of cruelty to animals and cases are being dealt with accordingly. Councilmember Bailey advised he received examples of ordinances from the surrounding cities sent to him by the opponents of tethered animals. Mayor Lowe advised that legislative branches were also looking at making changes on the state level. Police Chief Ray Smith advised that most of the calls they receive are for animals running at large but occasionally they get calls due to sheltering for the animal. Police Chief Ray Smith advised that he has to follow state laws as well as local ordinances. When in court, a state law is easier to convict than a local ordinance. Also, in police jurisdiction, the police department cannot prosecute under a city ordinance but they can enforce a state law. Police Chief Ray Smith advised Mayor and Council to push House Bill 256

so it will become a state law and it will determined what an adequate shelter is. He also advised the opponents of the tethered animals to petition the county and state about passing HB256.

Councilmember Bailey advised Mayor and Council that he had numerous calls asking if Moon Lake could be used for teaching kayaking. Parks and Recreation Director Todd Hughes advised that the city had an ordinance against any access to city lakes. City Manager Wallace Hunter advised that the city would have to take on the liability of the individuals.

City Manager Wallace Hunter presented a picture of the city landfill showing a large number of tires. City Engineer Angel Moore advised Mayor and Council that the city had picked up over 517 tires just in two days. The cost of each load is \$1,000 and to date the city has had 20 loads taken to the recycling center because the city cannot bury tires in the landfill. City Manager Wallace Hunter asked Chief Building Official Gil Griffith to explain to Mayor and Council what the city's plan was to remedy the excess tire problem. He advised the city is compiling a list of all tire shops, who dispose of their used tires, to show where the tires are going for disposal and any contact information necessary. This data base will help track the tire problem. Also, the city is putting up cameras to catch individuals dumping loads of tires in various locations at night. City Manager Wallace Hunter advised that the most dumping of tires is in District 2. Councilmember Johnson advised that it is a serious problem and she had made contact with her constituents and local tire companies. City Manager Wallace Hunter advised Mayor and Council that he would be getting with department heads and addressing the problem areas within the city limits.

Council took a 10 minute break.

Mayor Lowe went over the agenda items.

City Attorney Jimmy Graham reviewed agenda claims with Council.

City Attorney Jimmy Graham called for a 45 minute Executive Session to discuss Pending Litigation and Economic Development. Councilmember Day moved to go into Executive Session from which the meeting would adjourn, which motion was seconded by Councilmember Johnson. All were in favor.

Council went into Executive Session at 5:45 pm.

Council came out of Executive Session at 6:15 pm.

There being nothing further to discuss, the meeting adjourned until 3:00 p.m., Monday, February 20, 2018.