MUNICIPAL BUILDING, MOBILE, ALABAMA, JULY 16, 2024

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, July 16, 2024, at 9:00 a.m.

Councilmembers:

Present:	Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Absent:	None

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m.

Suntrese Williams-Maynard, Deputy City Attorney, gave the following statement:

"I certify as an attorney duly licensed in the State of Alabama, pursuant to the open meetings act that there is a legal rationale for you to go into executive session that being the discussion of infrastructure and the like and do not anticipate that discussion exceeding 30 minutes."

Councilmember Daves moved for the Council to move into executive session and reconvene at the 10:30 meeting, which was seconded by Councilmember Reynolds and the vote was as follows:

Penn:	Aye
Carroll:	Aye
Small:	Aye
Reynolds:	Aye
Daves:	Aye
Woods:	Aye
Gregory:	Aye

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the pre-meeting adjourned into executive session at approximately 9:30 a.m. and to reconvene at the regular meeting as scheduled.

Approved:

____
COUNCIL PRESIDENT

____
ASSISTANT CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, JULY 16, 2024

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Tuesday, July 16, 2024, at 10:30 a.m., for the regular meeting.

The meeting was called to order by the Assistant City Clerk, Lana Pafenbach.

Public Safety Chaplain, Dr. Bobby Morton, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman:	Small
Vice-Chairman:	Gregory
Councilmembers:	Carroll, Penn, Reynolds, Daves and Woods
Absent:	None

STATEMENT OF RULES BY PRESIDING OFFICER

The Presiding Officer provided an overview of the City Council's Rules of Procedure.

APPROVAL OF MINUTES

The minutes from the meeting of July 2 and 9, 2024, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

James Barber, Chief of Staff, announced that there were no announcements from the Mayor 's Office.

ADOPTION OF THE AGENDA

Councilmember Penn moved to adopt the agenda, which was seconded by Councilmember Gregory,

Councilmember Daves moved to move Resolution 46-630 to the top of the agenda, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk whereupon the Presiding Officer declared the motion to adopt the agenda adopted.

NOTE: Councilmember Gregory presented Resolution 46-630 honorarily re-naming Biloxi Avenue to "Coach John Bumpers Way" in honor of Coach John Bumpers.

HONORARY RENAME BILOXI AVENUE TO "COACH JOHN BUMPERS WAY". The following resolution was introduced by Councilmember Daves.

RESOLUTION: 46-630-2024

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, THAT Biloxi Avenue be honorarily named "Coach John Bumpers Way".

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPEALS

Request of Nicole Setterstorm for a waiver of the Noise Ordinance at 300 Conti Street on October 10, 2024, from 5:00 p.m. – 7:30 p.m. (District 2).

Councilmember Daves moved to adopt the waiver, which move was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Latorya McCovery for a waiver of the Noise Ordinance at 2301 Airport Boulevard on August 4, 2024, from 12:00 p.m. – 6:00 p.m. (District 5).

Councilmember Daves moved to adopt the waiver, which move was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Elizabeth Ervin for a waiver of the Noise Ordinance at Medal of Honor Park on July 20, 2024, from 4:00 p.m. – 7:00 p.m. (District 6).

Councilmember Daves moved to adopt the waiver, which move was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

PUBLIC HEARINGS

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1826 IDELL STREET; $ 2,974.00 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1826 Idell Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1863 MOTT DRIVE, S.; $2,748.00 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1863 Mott Drive, S. and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO CONSIDER THE APPLICATION OF QUALITY CARE ON WHEELS, LLC TO OPERATE A SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider the application of Quality Care on Wheels, LLC to operate a shuttle service and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced later in the meeting.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

NON-AGENDA ITEMS:

Lisa Teggart, 116 Providence Street, Offered comments about the opioid settlement funds.

AGENDA ITEMS:

Reggie Hill, 1007 Center Street, Gave comments about Resolutions 01-624, 01-618, and 25-625.

LeAnn Carr, 3949 Pembrocke Avenue, Expressed her support for Resolution 54-622.

Hope Harold, 3700 Claridge Road, Spoke in support of Resolution 54-622.

Michael Meeks, 1107 Springhill Avenue, Offered comments about Resolution 40-480.

ORDINANCES HELD OVER

ORDINANCE TO AMEND SECTIONS 39-96.1(C) AND (D)2 OF THE MOBILE CITY CODE TO CHANGE NOISE ORDINANCE CUTOFF TIME IN RESIDENTIAL DISTRICTS AND TO CODIFY PROCEDURES FOR APPLICATIONS FOR WAIVERS. The following ordinance which was introduced and read at the regular meetings of June 25, 2024, and July 2, 2024 and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

ORDINANCE: 39-041-2024

Sponsored by: Councilmember Penn

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA AS FOLLOWS:

Section 1: Amendment.

Mobile City Code § 39-96.1(c) is hereby amended and restated in its entirety to read as follows:

(c) Noise in residential districts restricted.

(1) Generally. It shall be unlawful and a nuisance to make, continue or cause to be made or continued any loud or excessive noise that unreasonably interferes with the comfort, health, or safety of others within the corporate limits of the city.

(2) In addition to the general prohibition set out above, it shall be unlawful, a nuisance and a violation of this section, for any person to:

a. Use, operate, or permit to be used or operated, any device, radio, musical instrument, television, phonograph, drum, sound amplifying equipment or device which produces or reproduces sound, either stationary or mobile, in such a manner that, during the hours from 6:00 a.m. to 9:00 p.m., Sunday through Thursday, and 6:00 a.m. to 10:00 p.m. on Friday and Saturday:

1. It is plainly audible at a distance of fifty (50) feet or more from any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the city; or

2. It creates any noise which exceeds eighty-five (85) db(a) at any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the city.

b. Use, operate, or permit to be used or operated, any device, radio, musical instrument, television, phonograph, drum, sound amplifying equipment or device which produces or reproduces sound, either stationary or mobile, in such a manner that, during the hours from 9:00 p.m. to 6:00 a.m., Sunday through Thursday, and 10:00 p.m. to 6:00 p.m. on Friday and Saturday:

1. It is plainly audible at a distance of twenty-five (25) feet or more from any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the city; or

2. It creates any noise which exceeds fifty (50) db(a) at any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the city.

c. Loud or raucous sounds or noises—6:00 a.m. to 9:00 p.m., Sunday through Thursday, and 6:00 a.m. to 10:00 p.m. on Friday and Saturday. Willfully make or cause a noise which disturbs the peace or quiet of any residential district and which:

1. Is plainly audible at a distance of fifty (50) feet or more from any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the city; or

2. Exceeds 85 db(a) at any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the city.

d. Loud or raucous sounds or noises—9:00 p.m. to 6:00 a.m., Sunday through Thursday, and 10:00 p.m. to 6:00 a.m. on Friday and Saturday Willfully make or cause a noise which disturbs the peace or quiet of any residential district and which:

1. Is plainly audible at a distance of twenty-five (25) feet or more from any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the city; or
2. Creates any noise which exceeds fifty (50) db(a) at any property line within a residential district or upon any public street or right-of-way within, or bordering upon, any residential district within the corporate limits of the city.

e. Any person creating any such sound or noise as described in this section and/or anyone permitting such a sound or noise to be created in, or emanate from, any premises under his care, custody or control, shall be presumed responsible for any such sound or noise.

(3) It shall be unlawful for any person to empty any dumpster in any residential district zoned as R-1, R-2, R-3, or R-B, or within five hundred (500) feet of the property line of any property that is zoned R-1, R-2, R-3, or R-B, during the hours from 9:00 p.m. to 6:00 a.m., Sunday through Thursday, and 10:00 p.m. to 6:00 a.m. on Friday and Saturday.

(4) It shall be unlawful for any person to deliver, pick up, or raise any dumpster, or any roll-off box or container, in any residential district zoned as R-1, R-2, R-3, or R-B, or within five hundred (500) feet of the property line of any property that is zoned R-1, R-2, R-3, or R-B,

during the hours from 9:00 p.m. to 6:00 a.m., Sunday through Thursday, and 10:00 p.m. to 6:00 a.m. on Friday and Saturday.

(5) It shall be unlawful for any person to pick up construction or demolition material, garbage, trash, rubbish, recyclable materials, or any combination thereof, with a truck which has a compactor or the capacity to raise, move, or empty any dumpster, or any roll-off box or container, in any residential district zoned as R-1, R-2, R-3, or R-B, or within five hundred (500) feet of the property line of any property that is zoned R-1, R-2, R-3, or R-B, during the hours from 9:00 p.m. to 6:00 a.m., Sunday through Thursday, and 10:00 p.m. to 6:00 a.m. on Friday and Saturday.

Mobile City Code § 39-96.1(d)(2) is hereby amended and restated in its entirety to read as follows:

(d) Exceptions.

(2) Noises from authorized activities; waiver of the noise ordinance by the City Council. The prohibitions of this section shall not apply to air traffic at the Mobile Municipal Airport, or any activities of a temporary duration which are permitted by law and for which a license or permit has been granted by the City including but not limited to parades, sporting events, concerts, the Greater Gulf State Fair, and fireworks displays. Notwithstanding anything else in this section, any person may apply to the City Council for a waiver of the noise ordinance on forms provided by the City Clerk's office. Any application for a waiver of the noise ordinance shall be due in the City Clerk's office by 2:00 p.m. on the Thursday prior to the City Council meeting at which the waiver is to be considered. Upon a proper application, the City Council shall have the discretion to grant or deny a waiver both as to noise levels and as to the hours during which any waiver will be operative, including extending the hours beyond the times provided in this section. The City Council may also grant a waiver in part or impose reasonable restrictions as a condition of a grant, or it may delay action on a waiver application. After a final vote by the City Council on a waiver application, the City Clerk shall endorse any application as granted or denied and shall list thereon any modifications or further conditions imposed by the City Council.

Section 2: Miscellaneous.

a) All other provisions and sections of the aforesaid Ordinance not amended herein shall remain in full force and effect.

(b) The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

(c) This Ordinance shall be effective within the City of Mobile and its police jurisdiction immediately upon its adoption and publication as required by law.

The ordinance was read by the Assistant City Clerk, whereupon Councilmember Penn moved to adopt the ordinance which was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn and Daves
Nays: Carroll, Small, Reynolds, Woods, and Gregory

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the ordinance failed.

CONSENT RESOLUTIONS HELD OVER

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1107 AND 1109 SPRINGHILL AVENUE, F/K/A 1111 SPRINGHILL AVENUE. The following resolution which was introduced and read at the regular meetings of May 28, 2024, and July 2, 2024, and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

RESOLUTION: 40-480-2024

Sponsored by: Councilmember Carroll

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1107 and 1109 Springhill Avenue, f/k/a 1111 Springhill Avenue and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1107 and 1109 Springhill Avenue, f/k/a 1111 Springhill Avenue to be $10,000.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: **$10,000.00** shall constitute a special assessment against the property at structure 1107 and 1109 Springhill Avenue, f/k/a 1111 Springhill Avenue and being that property more particularly described as follows:

COMMENCING AT THE SOUTHWEST INTERSECTION OF SPRINGHILL AVE AND HALLETT STREET RUN NORTH 72° 15' 25" WEST ALONG THE SOUTH LINE OF SPRINGHILL AVE 144.14 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE SOUTH 05° 38' 49" WEST 286.85 FEET TO A POINT; THENCE RUN NORTH 79° 33' 20" WEST FOR 42.14 FEET TO A POINT; THENCE RUN NORTH 81' 37' 16" WEST FOR 36.84 FEET TO A POINT; THENCE RUN NORTH 06' 09' 02" EAST FOR 297.92 FEET TO A POINT ON THE SOUTH ROW LINE OF SPRINGHILL AVE; THENCE RUN SOUTH 72° 15' 25" EAST WITH THE SOUTH ROW LINE OF SPRINGHILL AVE 77.90 FEET TO THE POINT OF BEGINNING

Parcel No.: **02 29 06 40 0 009 117.xxx**

Owner: **MEEKS MICHAEL**
3750 BAY TREE ROAD
LYNN HAVEN, FL 32444-5663

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the **demolition** of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the 0ffice of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the City Clerk, whereupon Councilmember Carroll moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1111 SPRINGHILL AVENUE, F/K/A 1110 OAK STREET. The following resolution which was introduced and read at the regular meetings of May 28, 2024, and July 2, 2024, and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

RESOLUTION: 40-481-2024

Sponsored by: Councilmember Carroll

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1111 Springhill Avenue, f/k/a 1110 Oak Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1111 Springhill Avenue, f/k/a 1110 Oak Street to be **$8,700.00** and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: $8,700.00 shall constitute a special assessment against the property at structure 1111 Springhill Avenue, f/k/a 1110 Oak Street and being that property more particularly described as follows:

COMG AT NW COR OF OAK & HALLETT STS TH RUN W 300 FT (S) TO POB TH CONT W 44.22 FT TH NL Y 227 FT(S) TH E 38.53 FT TH N 225.1 FT TH ELY 54.08 FT TH S 100 FT TH SE 35 FT TH N 100 FT THE 35 FT TH S 275 FT(S) TH W 126 FT TH S 227 FT(S) TO POB #SEC 40 T4S R1W #MP29 06 40 0 009

Parcel No.: **29 06 40 0 009 083.009**

Owner: **NATIONSTAR MORTGAGE LLC**
PO BOX 619081
DALLAS, TX 75261-9741

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the **demolition** of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the City Clerk, whereupon Councilmember Carroll moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RESOLUTIONS HELD OVER

AUTHORIZE RIGHTS-OF-WAY USE AGREEMENT FOR UNITI FIBER GULFCO, LLC.
The following resolution which was introduced and read at the regular meeting of July 9, 2024, and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-617-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are authorized to execute and attest, respectively, for and on behalf of the City of Mobile, the Rights-of-Way Use Agreement between the City of Mobile and Uniti Fiber GulfCo LLC. A copy of said Agreement is on file in the office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory

Councilmember Reynolds moved to amend the resolution as follows:

WHEREAS, Uniti Fiber GulfCo LLC has requested the City of Mobile provide it with a Franchise Agreement authorizing it to use the City's Rights-of-Ways, in a manner that is consistent with a telecommunication business; and,

WHEREAS, section 220 of the Constitution of Alabama provides that no person, firm, association, or corporation shall be authorized or permitted to use the streets, avenues, alleys, or public places of any city for the operation of a private enterprise without first obtaining the consent of the proper authorities of the city; and,

WHEREAS, section 11-44C-29 of the Code of Alabama provides that no resolution or ordinance granting any person, firm or corporation any franchise or right to use the streets, public highways, thoroughfares or public ways of the City shall take effect and be enforced until thirty (30) days after final enactment of same by the Council and publication of said resolution or ordinance in full once a week for three consecutive weeks in a newspaper of general circulation in the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, as follows:

1. That the Rights-of-Way Use Agreement for Use of City Rights-of-Way between the City of Mobile, Alabama and Uniti Fiber GulfCo LLC, is hereby approved by the Council, and the Mayor and the City Clerk are authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the said Rights-of-Way Use Agreement and to take all actions necessary to effectuate said Agreement. A copy of the said Rights-of-Way Use Agreement is on file in the office of the City Clerk and may be obtained during normal business hours.

2. That Uniti Fiber GulfCo LLC is hereby authorized and granted permission to operate its business pursuant to and in accordance with the terms and conditions of the Rights-of-Way Use Agreement.

3. That this Resolution shall take effect thirty (30) days from the date it is adopted and published in accordance with section 11-44-C-29 of the Code of Alabama.

4. That this Resolution shall be published in full once a week for three consecutive weeks in a newspaper of general circulation published in the City of Mobile.

The move was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The Presiding Officer declared the amendment adopted.

The Presiding Officer called for the vote on the original motion as amended and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer

declared the resolution adopted as amended.

AUTHORIZE AGREEMENT WITH THE UNIVERSITY OF SOUTH ALABAMA FOR HOSPITAL BASED VIOLENCE INTERVENTION PROGRAM; $240,000.00. The following resolution which was introduced and read at the regular meeting of July 9, 2024, and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-618-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the “HVIP Agreement” between the City of Mobile and the University of South Alabama, to work together to create, fund in the amount of $360,000.00 ($240,000 of which shall be City funding, and $120,000 of which shall be grant funding received from the Mobile County Health Department), and operate a Hospital based Violence Intervention Program (“HVIP), as attached hereto or one with wording substantially similar, and made apart hereof, as though set forth in full, and to take such further action necessary to effectuate the Agreement. The CITY COUNCIL finds that the HVIP Project provides counseling, monitoring, outreach and education to victims of gun violence during hospital treatment and as such funding thereof serves a public purpose. A copy of said Agreement is on file in the office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPOINT STEPHEN MCNAIR AND BARJA WILSON TO THE ARCHITECTURAL REVIEW BOARD. The following resolution which was introduced and read at the regular meeting of July 9, 2024, and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

RESOLUTION: 03-619-2024

Sponsored by: Mayor Stimpson

WHEREAS, William S. Stimpson, Mayor, pursuant to Mobile City Code Section 44- 75(c), has nominated the below named individuals to serve on the Architectural Review Board;

BE IT RESOLVED THAT THE CITY COUNCIL FOR THE CITY OF MOBILE hereby appoints the following individuals to serve on the Architectural Review Board, as follows:

Stephen McNair effective immediately for a 3-year term;

Barja Wilson effective immediately for a 1-year term.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO POWER DMS, INC. FOR ANNUAL RENEWAL OF MANAGEMENT SOFTWARE FOR MPD; $15,068.48. The following resolution which was introduced and read at the regular meeting of July 9, 2024, and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-620-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
9966	2024	(1530) POLICE ADMIN SERVICES	ANNUAL RENEWAL OF POWER-POLICY-PROFESSIONAL POLICY MANAGEMENT SOFTWARE FOR MPD (PRICE BELOW BID REQUIREMENT, EXEMPT AS SOFTWARE)	$15,068.48	(286661) POWER DMS INC

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO NIXON POWER SERVICES, LLC FOR COVER FOR EMERGENCY GENERATOR FOR MPD; $27,747.00. The following resolution which was introduced and read at the regular meeting of July 9, 2024, and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-621-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
10905	2024	(3032) ARCHITECTURAL ENGINEERING	COVER FOR EMERGENCY GENERATOR AT MPD 1ST PRECINCT (PRICE BELOW BID REQUIREMENT)	$27,747.00	(297820) NIXON POWER SERVICES LLC

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CLOSURE OF A PORTION OF PUBLIC ROAD ON YESTER OAKS DRIVE SOUTH OF ITS INTERSECITON WITH CLARIDGE ROAD SOUTH. The following resolution which was introduced and read at the regular meeting of July 9, 2024, and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

RESOLUTION: 54-622-2024

Sponsored by: Councilmember Daves

BE IT RESOLVED by the City Council of the City of Mobile that the portion of the public road on Yester Oaks Drive just south of its intersection with Claridge Road South is hereby closed to private traffic, and the Council further approves of and consents to the placement of a barrier, gate, or similar device by or at the direction of the City in an appropriate location on City property to be determined so as to effect the closure. Any such barrier is to be opened for use only by City employees and/or authorized emergency responders and services.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE AGREEMENT WITH THE HELIOS ALLIANCE FOR CONSULTING SERVICES; $154,000.00. The following resolution which was introduced and read at the regular meeting of July 9, 2024, and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-624-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are authorized to execute and attest, respectively, for and on behalf of the City of Mobile, the Professional Services Agreement between the City of Mobile and The Helios Alliance, attached hereto or one with wording substantially similar, and made apart hereof, as though set forth in full, and to take such further action necessary to effectuate the Agreement. A copy of said Agreement is on file in the office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

GRANT A PERMANANET EASEMENT TO MOBILE COUNTY FOR PUBLIC GOLF PATH. The following resolution which was introduced and read at the regular meeting of July 9, 2024, and held over until the regular meeting of July 16, 2024, was called up by the Presiding Officer.

RESOLUTION: 25-625-2024

Sponsored by: Councilmember Reynolds

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an easement, to MOBILE COUNTY, a copy of which is attached hereto and made a part hereof as though fully set forth herein, for and in consideration of the sum of ONE AND NO/100 ($1.00) DOLLARS, and other good and valuable consideration the adequacy of which is acknowledged by the City Council, to provide for a public golf path at Mobile County's golf course located on St. Andrew's Lane East.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to table the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution tabled.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF AN ORDINANCE BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider ordinance 88-042 being introduced for the first time. The motion was seconded by Councilmember Reynolds, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

ORDINANCES BEING INTRODUCED

ORDINANCE DONATING CERTAIN CITY PROPERTY TO MOBILE COUNTY FOR THE PURPOSE OF A PUBLIC GOLF PATH. The following ordinance was introduced by Councilmember Reynolds.

ORDINANCE: 88-042-2024

Sponsored by: Councilmember Reynolds

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA AS FOLLOWS:

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that certain property located in Mobile County on or near the former Linksman Golf Course, currently being renovated as a new Mobile County public golf facility, and hereinafter described more particularly, is no longer needed by the City for public or municipal purposes and is hereby donated to Mobile County, Alabama for the purpose of constructing and maintaining a public golf path. The City Council further finds that said donation is in the best interest of the City of Mobile and that it is in the public interest that said property be donated to Mobile County, Alabama for that purpose.

LEGAL DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 148, RIVERE DU CHIEN COUNTRY CLUB ESTATES AS RECORDED IN MAP BOOK 21, PAGE 74 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 68°25’43” EAST, 52.34 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 46.52 FEET, AN ARC DISTANCE OF 65.89 FEET (THE CHORD BEARS NORTH 27°50’53 EAST, AND MEASURES 60.52 FEET); THENCE RUN NORTH 12°43’56” WEST, 461.05 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 315.69 FEET, AN ARC DISTANCE OF 99.18 FEET (THE CHORD BEARS NORTH 3°43’56” WEST, AND MEASURES 98.77 FEET); THENCE RUN NORTH 5°16’04” EAST, 216.04 FEET; THENCE RUN SOUTH 80°42’06” EAST, 249.27 FEET; THENCE RUN SOUTH 1°28’22” WEST, 50.47 FEET; THENCE RUN NORTH 80°42’06” WEST, 202.50 FEET; THENCE RUN SOUTH 5°16’04” WEST, 162.39 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 265.69 FEET, AN ARC DISTANCE OF 83.47 FEET (THE CHORD BEARS SOUTH 3°43’56” EAST, AND MEASURES 83.13 FEET); THENCE RUN SOUTH 12°43’56” EAST 407.00 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO THE LEFT HAVIGN A RADIUS OF 106.00 FEET, AN ARC DISTANCE OF 106.86 FEET (THE CHORD BEARS SOUTH 41°36’43” EAST AND MEASURES 102.39 FEET); THENCE RUN SOUTH 70°29’31” EAST, 804.10 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 21.03 FEET (THE CHORD BEARS NORTH 85°24’48” EAST, AND MEASURES 20.41 FEET); THENCE RUN ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 241.19 FEET (THE CHORD BEARS SOUTH 19°30’29” WEST, AND MEASURES 66.67 FEET); THENCE RUN ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 21.03 FEET (THE CHORD BEARS NORTH 46°23’49” WEST, AND MEASURES 20.41 FEET); THENCE RUN NORTH 70°29’31” WEST, 763.12 FEET; THENCE RUN ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 104.46 FEET, AN ARC DISTANCE OF 74.90 FEET (THE CHORD BEARS SOUTH 88°58’06” WEST, AND MEASURES 73.30 FEET); THENCE RUN SOUTH 68°25’42” WEST, 283.22 FEET; THENCE RUN NORTH 21°34’17” WEST, 50.00 FEET; THENCE RUN NORTH 68°25’43” EAST, 162.72 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.69 ACRES MORE OR LESS.

SECTION TWO**:** The Mayor and the City Clerk are also hereby authorized and directed to execute and attest, respectively, for and in the name and on behalf of the City of Mobile, the Quitclaim Deed attached hereto for the property described above.

SECTION THREE**:** Said Quitclaim Deed is by reference made a part of this Ordinance as if fully set forth herein, and a copy of such will be on file in the office of the City Clerk and in the office of the Real Estate Officer of the City of Mobile, 4th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

SECTION FOUR**:** This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

The ordinance was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the ordinance, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance adopted.

CIP RESOLUTIONS BEING INTRODUCED

AUTHORIZE CONTRACT WITH HARRIS CONTRACTING SERVICES, INC. FOR MEDAL OF HONOR LIGHTING, BALLFIELD, AND COURT IMPROVEMENTS; $1,684,843.70. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 21-650-2024

Sponsored by: Mayor Stimpson and Councilmember Woods

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: Harris Contracting Services, Inc.

Project Name: Medal of Honor Park – Site and Lighting Improvements &
Medal of Honor Park – Ballfield Improvements
Medal of Honor Park – Court Improvements

Project Number: PR-001-23 & PR-001A-23 & PR-001B-23

Amount: $1,684,843.70

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider consent resolutions 03-627 through 60-636 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

APPOINT LAWRENCE WETTERMARK TO THE MOBILE MUSEUM OF ART BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-627-2024

Sponsored by: Councilmember Carroll

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to City of Mobile Code of Ordinances, Chapter 15, Article V, Section 15-131 and 15-132, Lawrence Wettermark is appointed to the Mobile Museum of Art Board for a three year term beginning October 1, 2024.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1826 IDELL STREET. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-628-2024

Sponsored by: Councilmember Penn

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1826 Idell Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1826 Idell Street to be $2,974.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: $2,974.00 shall constitute a special assessment against the property at structure 1826 Idell Street and being that property more particularly described as follows:

LOT 15 BLK 2 STRAUSS 3RD ADD TO TOULMINVILLE DBK 156 PG 373 #SEC 44 T4S R1W #MP29 02 44 0 014

Parcel No.: **29 02 44 0 014 414.xxx**

Owner: **HATCHER WILLIE K & ELLA MAE**
1308 JESSIE STREET
MOBILE, AL 36617-1914

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the **demolition** of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County Alabama.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1863 MOTT DRIVE, S. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-629-2024

Sponsored by: Councilmember Penn

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1863 Mott Drive, S. and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1863 Mott Drive, S. to be $2,748.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: $2,748.00 shall constitute a special assessment against the property at structure 1863 Mott Drive, S. and being that property more particularly described as follows:

LOT 42 RICHLAND PL MBK 4 P 133 #SEC 42 T4S R1W #MP29 07 42 0 001

Parcel No.: **29 07 42 0 001 371.xxx**

Owner: **KENNED NELLIE W, RENALD T, RENALD T FERGUSON**
& TREMAINE FERGUSON
1521 BAYONNE DRIVE
LA PLACE LA 70068-3113

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the **demolition** of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTERS OF THE MONTH; WITHERSPOON & WILLIAMS. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-631-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of $500 each to the following employee(s):

May 2024 FFOM: Firefighter Midarius R. Witherspoon (Emp #17851)

June 2024 FFOM: Fire Service Driver Jianna T. Williams (Emp #18552)

These employees are to be commended for their exemplary work performance or innovations that significantly reduce costs or result in an outstanding improvement in their service to the public.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE AWARD OF SPECIAL BONUS TO THE OFFICER OF THE MONTH; RUSSELL. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-632-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of $500 each to the following employee:

June 2024: Officer Alex Russell

The employee is to be commended for his exemplary work performance or innovations that significantly reduce costs or result in an outstanding improvement in service to the public.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO MOTHERS INVOLVED AGAINST GUN VIOLENCE SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-633-2024

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate **$340.00** to Mothers Involved Against Gun Violence from his discretionary funds; and

WHEREAS, Mothers Involved Against Gun Violence is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Mothers Involved Against Gun Violence will be used to assist with the 1st Grand Ball to be held July 13, 2024, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$340.00** to Mothers Involved Against Gun Violence, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO MOTHERS INVOLVED AGAINST GUN VIOLENCE SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-634-2024

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate **$340.00** to Mothers Involved Against Gun Violence from his discretionary funds; and

WHEREAS, Mothers Involved Against Gun Violence is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Mothers Involved Against Gun Violence will be used to assist with the 1st Grand Ball to be held July 13, 2024, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$340.00** to Mothers Involved Against Gun Violence, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO THE BOYS AND GIRLS CLUB OF SOUTH ALABAMA, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-635-2024

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wishes to appropriate **$1,000.00** to The Boys and Girls Clubs of South Alabama, Inc. from his discretionary funds; and

WHEREAS, The Boys and Girls Clubs of South Alabama, Inc. is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to The Boys and Girls Clubs of South Alabama, Inc. will be used to assist with a one-year membership for two youth, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$1,000.00** to The Boys and Girls Clubs of South Alabama, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None
Abstain: Penn

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO INVERNESS SUBDIVISION HOMEOWNERS' ASSOCIATION, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-636-2024

Sponsored by: Councilmember Woods

WHEREAS, Councilmember Woods wishes to appropriate **$1,250.00** to Inverness Subdivision Home Owners Association, Inc, from their discretionary funds; and

WHEREAS, Inverness Subdivision Home Owners Association, Inc, is a non-profit corporation operating in Alabama and providing a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Inverness Subdivision Home Owners Association, Inc, will be used to assist with the removal of trees to prevent a public safety risk.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$1,250.00** to Inverness Subdivision Home Owners Association, Inc, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider resolutions 09-646 and 37-653 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AMENDMENT TO AGREEMENT WITH TELEPAK NETWORKS, INC., D/B/A C SPIRE, TO EXTEND INTERNET SERVICES FOR 60 MONTHS; $2,915.00 PER MONTH. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 01-637-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, an amendment to an agreement, by and between the City of Mobile and Telepak, Networks, Inc. dba C Spire, for telecommunications services, to extend the agreement for 60 months, increase the services provided, and adjust the rate to approximately $2,915.00 per month, as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract amendment is on file in the Office of the City Clerk.

AUTHORIZE AGREEMENT WITH ALTAPOINTE HEALTH SYSTEMS, INC. FOR CRISIS RESPONSE UNDER THE MOBILE EARLY DIVERSION PROGRAM. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 001-638-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Memorandum of Agreement by and between the City of Mobile and AltaPointe Health Systems, Inc. for work performed by the Mobile Police Department for crisis response under the Mobile Early Diversion Program and funded by the Substance Abuse and Mental Health Services Administration as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy is on file in the office of the City Clerk.

APPOINT JAY KANIK AND JESSE GALLOWAY TO THE IMPROVEMENT DISTRICT OF THE CITY OF MOBILE – MCGOWIN PARK PROJECT. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 03-639-2024

Sponsored by: Mayor Stimpson

WHEREAS, The Improvement District of the City of Mobile – McGowin Park Project, a public corporation organized by the City Council (the "Council") of the City of Mobile (the "City) under the laws of the State of Alabama (the "Improvement District"), is duly organized and existing under the provisions of Chapter 99A of Title 11 of the Code of Alabama (1975) (the "Act"); and

WHEREAS, the current Board of Directors of the Improvement District (the "Board") are Michael Anderson, Donald Foster, and Travis Black; and

WHEREAS, Travis Black and Michael Anderson have tendered their resignations from the Board to the Council (Exhibits A and B, respectively); and

WHEREAS, the Council desires to accept the resignations of Travis Black and Michael Anderson from the Board, and in response now appoint Jay Kanik and Jesse Galloway to the Board, in substitution of Travis Black and Michael Anderson, respectively.

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNCIL, as follows:

(1) That the Council hereby accepts the resignations of Travis Black and Michael Anderson, and they are hereby removed from the Board and relieved of all authority, rights and obligations in connection with their role on the Board.

(2) That Jay Kanik is hereby appointed to the Board in substitution of Travis Black and Jesse Galloway is hereby appointed to the Board in substitution of Michael Anderson.

AMEND PURCHASE ORDER TO JHCC HOLDINGS, LLC TO COMPLETE ADDITIONAL WRECK REPAIRS TO CHEVROLET TAHOE; ADDITIONAL $7,948.12. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 08-640-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, an amendment to a purchase order to the indicated vendor in the approximate amount stated as indicated below and attached herein:

Purchase Order	Fiscal Year	Department	Description	Amount	Vendor
24009052	2024	(2050) FLEET MANAGEMENT-GARAGE	AMEND PURCHASE ORDER TO COMPLETE ADDITIONAL WRECK REPAIRS TO 2021 CHEVROLET TAHOE PPV SUV FOR AN ADDITIONAL $7,948.12 (PRICE BELOW BID REQUIREMENT)	$24,261.72	(299101) JHCC HOLDINGS LLC

APPROVE PURCHASE ORDER TO GULF COAST TRUCK & EQUIPMENT COMPANY, INC. FOR GARBAGE TRUCK FUEL SYSTEM REPAIR; $20,936.968. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 08-641-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
11461	2024	(2050) FLEET MANAGEMENT-GARAGE	FUEL SYSTEM CONTAMINATION REPAIR TO 2023 MACK SIDELOAD GARBAGE TRUCK (PRICE BELOW BID REQUIREMENT – VENDOR SELECTED TO PRESERVE WARRANTY))	$20,936.98	(77800) GULF COAST TRUCK & EQUIPMENT CO INC

APPROVE PURCHASE ORDER TO IMAGETREND, LLC FOR ANNUAL RENEWAL OF PATIENT MANAGEMENT SOFTWARE FOR MFRD; $25,132.72. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 08-642-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
10389	2024	(1510) FIRE ADMINISTRATION	ANNUAL RENEWAL OF IMAGETREND ELITE HEALTH INFORMATION HUB PATIENT MANAGEMENT SOFTWARE WITH BI-DIRECTIONAL DATA EXCHANGE (BID EXEMPT AS SOFTWARE, GSA SCHEDULE)	$25,132.72	(295732) IMAGETREND LLC

APPROVE PURCHASE ORDER TO NEXGEN ASSET MANAGEMENT FOR APPLICATION PROGRAMMING INTERFACE FOR MIT; $47,600.00. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 08-643-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
10600	2024	(5000) INFORMATION TECHNOLOGY	SERVICES TO REWRITE THE APPLICATION PROGRAMMING INTERFACE BETWEEN NEXGEN AND ROCK SOLID SOFTWARE PRODUCTS FOR MIT (BID EXEMPT AS SOFTWARE)	$47,600.00	(297466) NEXGEN ASSET MANAGEMENT

APPROVE PURCHASE ORDER TO SHI INTERNATIONAL CORP. FOR COMPUTER NETWORK SWITCHES, POWER SUPPLIES, AND WARRANTY SUPPORT FOR MIT; $88,081.96. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 08-644-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
10505	2024	(5000) INFORMATION TECHNOLOGY	COMPUTER NETWORK SWITCHES, POWER SUPPLIES, WARRANTY SUPPORT, WLAN ACCESS POINTS, AND TRANSCEIVERS FOR MIT (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT)	$88,081.96	(272641) SHI INTERNATIONAL CORP

APPROVE PURCHASE ORDER TO UNIVERSITY OF SOUTH ALABAMA FOR SUMMER SEMESTER PARAMEDIC CLASSES FOR MFRD; $59,431.00. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 08-645-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
10570	2024	(1510) FIRE ADMINISTRATION	SUMMER SEMESTER PARAMEDIC CLASSES FOR 12 FIREFIGHTERS AS PER MFRD PARAMEDIC EDUCATIONAL ASSISTANCE POLICY (PROFESSIONAL SERVICE)	$59,431.00	(281269) UNIVERSITY OF SOUTH ALABAMA

TRANSFER FUNDS FROM GENERAL FUND MAYOR DISCRETIONARY CONTRIBUTED CONTRACT SERVICES TO CIP OLD SHELL ROAD OVERPASS; $25,000.00. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 09-646-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $25,000.00 be transferred from the General Fund (Fund 1000) budget of Mayor Discretionary: Contributed Contract Services (10040580.42080) to Capital Improvements (Fund 2000) Project C0911 CIP Old Shell Road Overpass. These funds will be used to help fund the Old Shell Road Overpass.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH CANON SOLUTIONS, AMERICA, INC. FOR PRINT SERVICES AND SUPPLIES FOR MFRD; $30,000.00 PER YEAR FOR 3 YEARS. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 21-647-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Canon Solutions America, Inc., for print support services and supplies for Mobile Fire Rescue Department as needed in an approximate amount of $30,000.00 per year, retroactively beginning July 1, 2024, for three years, at unit pricing as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of the said contract is on file in the Office of the City Clerk.

AUTHORIZE CONTRACT WITH DEL-CON, LLC FOR MOBILE MUSEUM OF ART EXTERIOR REPAIRS; $214,000.00. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 21-648-2024

Sponsored by: Mayor Stimpson and Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: Del-Con, LLC

Project Name: Mobile Museum of Art – Exterior Repairs

Project Number: MU-007-24

Amount: $214,000.00

AUTHORIZE CONTRACT WITH MATT JOHNSON TO PROVIDE DIGITAL MARKETING PROFESSIONAL SERVICES; NTE $65,000.00 PER YEAR. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 21-649-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Matt Johnso, sole proprietor, to provide digital marketing professional services, for one year, renewable for two additional one-year periods, without further approval required by Council, in an amount as needed not to exceed $65,000.00 per year, as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of the said contract is on file in the Office of the City Clerk.

AUTHORIZE AND APPROVE SUBAWARD GRANT AGREEMENT NO. 2 WITH THE

ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES FOR THREE MILE CREEK WATERSHED RESTORATION. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 31-651-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Subaward Grant Agreement between the City of Mobile and the Alabama Department of Conservation and Natural Resources (ADCNR), or one worded substantially the same, for Amendment No. 2 of an existing grant for State Expenditure Plan #16: Three Mile Creek Watershed Restoration, and to take all actions necessary to effectuate said Agreement, as outlined in the Agreement attached hereto and made a part hereof as though set forth in full. A copy of said Agreement is on file in the office of the City Clerk.

CONSIDER THE APPLICATION OF QUALITY CARE ON WHEELS, LLC TO OPERATE A SHUTTLE SERVICE. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 37-652-2024

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Quality Care on Wheels, LLC, for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

DENY BUSINESS LICENSE APPLICATION FOR SLURP SOCIETY RAMEN SHOP, LLC. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-653-2024

Sponsored by: City Council

BE IT RESOLVED by the City Council of the City of Mobile that, upon the referral of the attached business license application and materials to the Council by the City of Mobile Revenue Director, as contemplated by Mobile City Code section 34-63, the Council hereby **DENIES** said business license application for Slurp Society Ramen Shop, LLC for the reasons cited by the Revenue Director.

The resolution was read by the City Clerk, whereupon Councilmember Carroll moved to table the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution tabled.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; BOX. The following resolution was held over until the regular meeting of July 23, 2024.

RESOLUTION: 60-654-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Trace Box and Jon Box, as outlined in the Settlement Agreement and Release of Claims. A copy of the said settlement agreement is on file in the Office of the City Clerk.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT THE SOUTH SIDE OF KOOIMAN ROAD, 1,237' WEST OF TODD ACRES DRIVE (SCHEDULED FOR AUGUST 20, 2024) (DISTRICT 4). The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 41-655-2024

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.
Notice of Public Hearing for the Proposed Rezoning of Property Located at the south side of Kooiman Road, 1,237' ± west of Todd Acres Drive

Pursuant to Resolution of the Mobile, Alabama City Council adopted July 16, 2024, a public hearing will be held on the **20th day of August, 2024, at 10:30 a.m.**, to consider adoption of an ordinance to rezone property located at the south side of Kooiman Road, 1,237' ± west of Todd Acres Drive.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant and may take other actions allowed by law.

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the Ordinance commonly known as the Unified Development Code and adopted on July 12, 2022, together with the Zoning Map of the City of Mobile, be, and the same hereby is amended in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

A PARCEL OF LAND BEING SITUATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 1 INCH CRIMP PIPE, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT A, MINING SUBDIVISION, AS RECORDED IN PLAT BOOK 130, PAGE 116, IN THE OFFICE OF THE JUDGE OF PROBATE OF MOBILE COUNTY, ALABAMA, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE RUN SOUTH 89 DEGREES 53 MINUTES 24 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT A AND THE NORTH LINE OF SAID QUARTER - QUARTER LINE FOR A DISTANCE OF 1325.39 FEET TO A FOUND CAPPED REBAR STAMPED LOVITTE, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT A, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SAID POINT ALSO BEING THE POINT

OF BEGINNING; THENCE LEAVING SAID NORTH LINES RUN NORTH 02 DEGREES 17 MINUTES 52 SECONDS EAST ALONG THE WEST LINE OF SAID QUARTER - QUARTER LINE FOR A DISTANCE OF 1266.16 FEET TO A FOUND CAPPED REBAR STAMPED ROWE, SAID POINT LYING ON ·THE SOUTHERLY RIGHT OF WAY LINE OF KOOIMAN ROAD (60' R.O.W.); THENCE LEAVING SAID WEST LINE RUN SOUTH 89 DEGREES 56 MINUTES 35 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 1324.24 FEET TO A FOUND CAPPED REBAR STAMPED BSI, SAID POINT LYING ON THE EAST LINE OF SAID SECTION 34; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE RUN SOUTH 02 DEGREES 14 MINUTES 21 SECONDS WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1123.20 FEET TO A SET CAPPED REBAR STAMPED GSA CA-560-LS, SAID POINT LYING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF CSX RAILROAD (100' R.O.W.); THENCE LEAVING SAID EAST LINE RUN SOUTH 28 DEGREES 35 MINUTES 08 SECONDS WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE FORA DISTANCE OF 163.65 FEETTOAPOINTLYING ON THE SOUTH LINE OF SAID QUARTER - QUARTER LINE; THENCE LEAVING SAID NORTHWESTERLY RIGHT OF WAY LINE RUN NORTH 89 DEGREES 53 MINUTES 55 SECONDS WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 1252.82 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1,671,685 SQUARE FEET OR 38.38 ACRES MORE OR LESS.

The classification of said property is hereby changed from R-A, Residential Agriculture District, to B-5, Office Distribution District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a B-5, Office Distribution District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-5, Office Distribution District until all of the conditions set forth below have been complied with: 1. Completion of a 1-lot Subdivision; 2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and, 3. Full compliance with all municipal codes and ordinances.

<u>Section Two</u>: This Ordinance shall be in force and effect from and after its adoption and Publication.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Reynolds moved to call for the public hearing, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as August 20, 2024.

<u>CALL FOR PUBLIC HEARING TO CONSIDER THE APPLICATION OF BENNETT'S CARE, LLC TO OPERATE A SHUTTLE SERVICE (SCHEDULED FOR JULY 30, 2024).</u>
The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 41-656-2024

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed resolution is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed resolution.

NOTICE OF HEARING ON PROPOSED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application **Bennett's Care, LLC, to operate a shuttle service** in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza, located at 205 Government Street, Mobile, Alabama, on **July 30, 2024, at 10:30 a.m**. At such time and place, all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Bennett's Care, LLC for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Reynolds moved to call for the public hearing, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as July 30, 2024.

ANNOUNCEMENTS

Councilmember Penn said that the Coach and Councilman Combine will be held on Saturday, July 20, 2024 at John L. LeFlore Stadium.

Councilmember Penn encouraged citizens to attend the Back to School Bash on Saturday, July 27, 2024, at Figures Park Recreation Center from 1:00 p.m. – 5:00 p.m.

Councilmember Penn stated that MOB Jazz Festival will be held on July 28, 2024, at the Michael Dow Amphitheater from 1:00 p.m. – 7:00 p.m.

Councilmember Daves thanked the Council for approving Resolution 54-622.

Councilmember Gregory recognized several youth baseball teams in District 7 for their accomplishments.

Councilmember Gregory shared that she had a great time this past weekend at the Cody Road Girls’ Cookout.

Councilmember Small stated that he was looking forward to attending the festival at Taylor Park on Friday, July 19, 2024

Councilmember Reynolds moved to adjourn the meeting, which was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:18 a.m.

Adopted:

____
COUNCIL PRESIDENT

____
ASSISTANT CITY CLERK