HISTORY MUSEUM OF MOBILE, MOBILE, ALABAMA, DECEMBER 22, 2020

The City Clerk of the City of Mobile, Alabama, hosted the regular pre-council meeting, of the Mobile City Council at the History Museum of Mobile, 111 South Royal Street, on Tuesday, December 22, 2020, at 9:00 a.m.

Present:

Councilmembers:	Richardson, Small, Williams, Daves and Rich
Absent:	Manzie and Gregory

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.

Approved:

____
COUNCIL VICE PRESIDENT

____
CITY CLERK

HISTORY MUSEUM OF MOBILE, MOBILE, ALABAMA, DECEMBER 22, 2020

The City Clerk of the City of Mobile, Alabama, hosted the regular meeting, of the Mobile City Council at the History Museum of Mobile, 111 South Royal Street, on Tuesday, December 22, 2020, at 10:30 a.m. The Council met via virtual platform.

The meeting was called to order by City Clerk Lisa C. Lambert.

Bishop Antonio Jackson, Christ Temple Apostolic Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman:	Small
Councilmembers:	Richardson, Williams, Daves, Rich and Gregory
Absent:	Manzie

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer provided an overview of the City Council rules of procedure, to include special provisions to facilitate social distancing because of the Covid-19 virus.

APPROVAL OF MINUTES:

The minutes of the meeting of December 15, 2020, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson reported that the Senate passed the FY 2021 appropriations package.

Mayor Stimpson announced that Historic Hotels of America named the Battle House Renaissance Mobile Hotel & Spa as the “2020 Best Historic Hotel.”

Mayor Stimpson stated that the City, along with USA Health, began administering the COVID-19 vaccination to paramedics and EMTs on Friday, December 18, 2020.

Mayor Stimpson advised citizens that trash will not be picked up Christmas Eve or Christmas Day. The make-up day will be Saturday, December 26, 2020.

Mayor Stimpson congratulated Gwen Hall on her retirement after 32 years of service.

MONTHLY FINANCE REPORTS

Paul Wesch, Executive Director of Finance, presented the Council with the monthly finance report for November 2020.

ADOPTION OF THE AGENDA:

Councilmember Daves moved to adopt the agenda and to declare the items on the agenda Essential/Covid-19 related, which move was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the agenda adopted and all items declared Essential/Covid-19 related.

APPEALS:

Request of Emily Naron, Ultimate Audio Fabrication, 3404 Moffett Road, Suite 1, for a waiver of the Noise Ordinance on January 8, 2021, from 6:00 – 9:00 p.m.(District 1).

Councilmember Richardson moved to grant the waiver, which motion was seconded by Councilmember Rich and the vote was as follows.

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Reggie Hill, 1007 Center Street, addressed Resolutions 08-913, 08-914, 21-906 and 21-918.

NON-AGENDA ITEMS:

None

PRESENTATIONS BY THE COUNCIL:

The Council and Mayor Stimpson presented a proclamation to Gwendolyn “Gwen” Hall in honor of her retirement declaring Tuesday, December 22, 2020, as “Mrs. Gwen Hall Day” in Mobile.

ESSENTIAL/COVID-19 ITEMS HELD OVER:

APPROVE PURCHASE ORDER TO AUTONATION FORD MOBILE FOR 2021 FORD F250 4X4 CREW CAB PICKUP TRUCK, $36,943.00. The following resolution, which was introduced and read at the regular meeting of December 15, 2020, and held over until the regular meeting of December 22, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-894-2020

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
1156	2021	(F7000) MOTOR POOL	2021 FORD F250 4X4 CREW CAB PICKUP TRUCK (SEALED BID 5494)	$36,943.00	(270013) AUTONATION FORD MOBILE

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich 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 CDW GOVERNMENT LLC FOR FIREWALL SECURITY APPLIANCES, $22,285.92. The following resolution, which was introduced and read at the regular meeting of December 15, 2020, and held over until the regular meeting of December 22, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-895-2020

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
2086	2021	(5000) INFORMATION TECHNOLOGY	SONICWALL NSA 5650 HIGH AVAILABILTY, AND SONICWALL NSA 5650 ADAVANCED EDITION, FIREWALL SECURITY APPLIANCES (NATIONAL IPA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$22, 285.92	(272932) CDW GOVERNMENT LLC

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich 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 ATLANTIC VIDEO CORPORATION TO REMOVE AND REPLACE VIDEO DISPLAY WALL IN MPD JOINT OPS CENTER, $25,480.47. The following resolution, which was introduced and read at the regular meeting of December 15, 2020, and held over until the regular meeting of December 22, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-896-2020

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
1258	2021	(1530) POLICE ADMIN SERVICES	REMOVE AND REPLACE VIDEO DISPLAY WALL IN MPD JOINT OPS CENTER (PUBLIC WORKS LESS THAN $50K, BID NOT REQUIRED, PRICE QUOTE ONLY)	$25,480.47	(018350) ATLANTIC VIDEO CORPORATION

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich 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 DANA SAFETY SUPPLY INC. FOR FIVE MINI THREE (3)-LINE MESSAGE BOARD SIGNS WITH TRAILERS, $74,455.00. The following resolution, which was introduced and read at the regular meeting of December 15, 2020, and held over until the regular meeting of December 22, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-897-2020

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
907	2021	(1530) POLICE ADMIN SERVICES	5 WANCO WVT3(A) MINI 3-LINE MESSAGE BOARD SIGNS W/TRAILERS (SEALED BID 5496)	$74,455.00	(290980) DANA SAFETY SUPPLY INC

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH CORPORATE ENVIRONMENTAL RISK MANAGEMENT, LLC FOR AN EPA COOPERATIVE AGREEMENT FOR A BROWNSFIELDS ASSESSMENT GRANT – AFRICATOWN COMMUNITY; $290,400.00. The following resolution, which was introduced and read at the regular meeting of December 15, 2020, and held over until the regular meeting of December 22, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-906-2020

Sponsored by: City Council and Mayor Stimpson

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 set forth in full, subject to the company signing the contract and furnishing the required bonds and insurance. A copy of said executed contract will be on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

Name of Company: Corporate Environmental Risk Management, LLC

Project Name: COM EPA Brownfields Assessment Grant Africatown Project

Project No.: 2020-3005-09

Estimated Cost: $290,400.00

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich 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 ESSENTIAL/COVID-19 ITEMS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Daves moved for the suspension of the rules to consider Essential/Covid-19 items 07-043 – 03-910, 08-913 – 08-914 and 60-922 – 37-925, being introduced for the first time. The motion was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

ESSENTIAL/COVID19 ITEMS BEING INTRODUCED:

ORDINANCE PERTAINING TO ANIMAL TETHERING. The following ordinance was introduced by Councilmember Daves.

ORDINANCE: 07-043-2020

Submitted by: Councilmember Richardson

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

Section 1:

Sec. 7-23. of the Mobile City Code, 1991, is hereby amended and restated in its entirety to read as follows:

Sec. 7-23. Animals at large; Tethering

a) It shall be unlawful for any Person to allow any Animal in his control or possession to go, stray or wander upon the public right of way or property of another Person. An Animal is running at large if it is not under control of the Owner and is not:

(1) Confined within a fence, electronic fence, wall, or other enclosure in such a manner so as to effectively prevent the Animal from traveling onto the public right of way or property of another Person;

(2) On a leash not more than ten (10) feet in length and secured by a collar or harness; or,

(3) On a single Animal trolley or pulley system on a cable run that is fixed in a manner allowing smooth freedom of movement of the Animal without becoming tangled, wrapped around an object or shortened, and:

(A) is at least twelve (12) feet in length and mounted between four (4) and seven (7) feet off the ground, but does not allow the Animal access to the public right of way or property of another Person;

(B) allows the Animal access to water and Shelter;

(C) is an appropriate strength and weight given the size of the Animal and is affixed to the Animal by a proper fitting nylon or leather harness or collar with swivel attachment; choke, pinch and prong collars are prohibited for this purpose.

b) Sub-section a), above, shall not apply to an Animal that is:

(1) At a designated Animal or Dog park or in attendance at any legal event in which the Animal is a permitted attendee;

(2) Actively shepherding or herding cattle or livestock or assisting in cultivating agricultural products;

(3) Under the care of a veterinarian or groomer;

(4) Being utilized or trained in a law enforcement capacity;

(5) Being legally used for hunting.

c) It shall be unlawful for any Person to allow any Animal in his control or possession to be tied, leashed or chained to a doghouse, tree, post, stake, barrel, or other stationary object for a time period exceeding fifteen (15) minutes unless its Owner is physically present within sight of the Animal.

Section 2 - Miscellaneous Provisions:

(a) 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.

(b) This Ordinance shall become effective within the City of Mobile sixty (60) days after its adoption and publication as required by law.

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be held over until the regular meeting of January 19, 2021, which was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

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

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

RESOLUTION: 03-909-2020

Sponsored by: Councilmember Manzie

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Lawrence Wettermark is appointed to the Mobile Museum of Art Board effective January 1, 2021, for a term ending December 31, 2023.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

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

RE-APPOINT WAYNE DEAN, SR. TO THE HISTORY MUSEUM OF MOBILE BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-910-2020

Sponsored by: Councilmember Manzie

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Wayne Dean, Sr. is re-appointed to the History Museum of Mobile Board effective December 31, 2020, for a term ending December 31, 2024.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich 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 TRANE US INC TO REMOVE AND REPLACE HVAC AIR HANDLING UNIT AT HARMON RECREATION CENTER, $35,660.00. The following resolution was held over until the regular meeting of January 5, 2021.

RESOLUTION: 08-911-2020

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
3270	2021	(3035) FACILITY MAINTENANCE	REMOVE AND REPLACE HVAC AIR HANDLING UNIT AT HARMON REC CENTER (US COMMUNITIES COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$35,660.00	(293908) TRANE US INC

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

APPROVE ITEM BASED BID WITH EMERGENCY EQUIPMENT PROFESSINAL, INC., FOR A HYDRAULIC FORCIBLE ENTRY TOOL, $1,837. The following resolution was held over until the regular meeting of January 5, 2021.

RESOLUTION: 08-912-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to accept and approve, and issue Purchase Orders against, the below proposed Bid Award, to the designated vendors, for the indicated time period, and if renewable, renewable without further action by Council, for the specified item(s) at the unit prices indicated.

Bid	Description	Number of Items	Bid Amount	Time/Renewal	Vendor(s)
5495	Hydraulic Forcible Entry Tool	1	$1837.00	One year, renewable for two additional one-year periods	(294963) Emergency Equipment Professional, Inc.

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

APPROVE PURCHASE ORDER TO WARD INTERNATIONAL TRUCKS LLC. FOR TWO KNUCKLEBOOM LOADERS, $323,094.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 08-913-2020

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:

Purchase Order	Fiscal Year	Department	Description	Amount	Vendor
20015205-01	2020	(F7000) MOTOR POOL	TWO 2020 PAC-MAC KNUCKLEBOOM LOADERS WITH INTERNATIONAL MV607 CHASSIS (SEALED BID 5442 – REAWARD FROM DIXIE TRUCKS INC DUE TO INABILITY TO MAKE TIMELY DELVERY)	$323,094.00	(232872) WARD INTERNATIONAL TRUCKS LLC

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich 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 WARD INTERNATIONAL TRUCKS LLC. FOR FOUR KNUCKLEBOOM LOADERS, $646,188.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 08-914-2020

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
3529	2021	(F7000) MOTOR POOL	FOUR 2020 PAC-MAC KNUCKLEBOOM LOADERS WITH INTERNATIONAL MV607 CHASSIS (SEALED BID 5442 – REAWARD FROM DIXIE TRUCKS INC DUE TO INABILITY TO MAKE TIMELY DELVERY)	$646,188.00	(232872) WARD INTERNATIONAL TRUCKS LLC

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich 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 AUTONATION FORD MOBILE FOR 2021 FOR ESCAPE, $22,400.00. The following resolution was held over until the regular meeting of January 5, 2021.

RESOLUTION: 08-915-2020

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
3533	2021	(F7000) MOTOR POOL	2021 FORD ESCAPE SUV (SEALED BID 5466)	$22,400.00	(270013) AUTONATION FORD MOBILE

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

AUTHORIZE CHANGE ORDER #2 TO THE CONTRACT WITH MOFFATT & NICHOL, INC. FOR THE DESIGN OF TASK 6: THREE MILE CREEK NATURAL CHANNEL DREDGING, $99,000.00. The following resolution was held over until the regular meeting of January 5, 2021.

RESOLUTION: 13-916-2020

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 Change Order, by and between the City of Mobile and Moffatt & Nichol, Inc. as outlined in the Change Order Number Two (2), attached hereto and made a part hereof as though set forth in full, to increase their contract dated January 21, 2020 in total contract sum from $262,500.00 to $341,500.00, with the $99,000.00 being specifically allocated to Task 6, Area 3 Pre-Implementation Activities. A copy of said Change Order and Justification is on file in the office of the City Clerk.

WHEREAS, the City Council of the City of Mobile, Alabama, finds that the subject of this Resolution (or Ordinance) is either necessary to respond to COVID 19, or necessary to perform essential minimum functions of the Council.

Name of Company: Moffatt & Nichol, Inc.

Project Name: Mobile Bay Shore Habitat Conservation and Acquisition Initiative Phase II NFWF Task 6 – Pre-Implementation Activities: Three Mile Creek (Area 3)

Project Number: G-NFWFII (GEBF) Grant No. 58042

Amount: $99,000.00
(Existing Contract Amount: $262,500.00)

AUTHORIZE CONTRACT WITH ARENA FIRE PROTECTION INC. FOR THE INSTALLATION OF SMOKE DETECTOR TESTING STATIONS AT THE GULFQUEST MARITIME MUSEUM, $19,500.00. The following resolution was held over until the regular meeting of January 5, 2021.

RESOLUTION: 21-917-2020

Sponsored by: Councilmember Manzie and Mayor Stimpson

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: ARENA FIRE PROTECTION INC.

Project Name: GULFQUEST MARITIME MUSEUM
Installation of Smoke Detector Testing Stations

Project Number: SR-013-21

Amount: $19,500.00

BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this Resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

AUTHORIZE A CONTRACT WITH THE UNIVERSITY OF SOUTH ALABAMA TO COMPLETE A COMPREHENSIVE CULTURAL RESOURCES SURVEY AT THE PROPOSED SITE OF THE AFRICATOWN WELCOME CENTER, $58,802.00. The following resolution was held over until the regular meeting of January 5, 2021.

RESOLUTION: 21-918-2020

Sponsored by: City Council and 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 contract by and between the City of Mobile and the University of South Alabama, attached hereto and made a part hereof as though set forth in full, in total contract sum of $58,802.00 to complete a comprehensive Cultural Resources Survey on the proposed property that will hold the Africatown Welcome Center.

WHEREAS, the City Council of the City of Mobile, Alabama, finds that the subject of this Resolution (or Ordinance) is either necessary to respond to COVID 19, or necessary to perform essential minimum functions of the Council.

AUTHORIZE GRANT APPLICATION TO THE ALABAMA LAW ENFORCEMENT AGENCY FOR THE FY20 STATE HOMELAND SECURITY GRANT PROGRAM, $58,971.00 (NO MATCHING FUNDS). The following resolution was held over until the regular meeting of January 5, 2021.

RESOLUTION: 31-919-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, on behalf of the City of Mobile, is authorized to accept and receive grant funds in the amount of $58,971.00 from the Alabama Law Enforcement Agency, by way of the Mobile County EMA, with no match requirement, for the FY20 State Homeland Security Grant Program, as outlined in the cooperative 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.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said funds and to sign any agreements or other documents in connection with the grant and to provide any information required by the Alabama Law Enforcement Agency and Mobile County EMA.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is necessary to perform essential minimum functions of the Council.

AUTHORIZE LEASE AGREEMENT WITH MOBILE COUNTY FOR GOVERNMENT PLAZA. The following resolution was held over until the regular meeting of January 5, 2021.

RESOLUTION: 35-920-2020

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 Government Plaza Lease Agreement between Mobile County, and the City of Mobile, to lease from the County approximately 127,326 square feet of space located in the North and South towers of Government Plaza for a period of five (5) years, and to execute all documents and perform all acts necessary in connection with the Lease, as outlined in the Lease attached hereto and made a part hereof as though set forth in full. A copy of said Lease is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council finds that this Resolution is necessary to perform essential minimum functions of the Council.

APPROVE AWARD OF SPECIAL BONUS TO THE OFFICER OF THE MONTH FOR AUGUST, SEPTEMBER, OCTOBER, AND NOVEMBER 2020 AS PART OF THE MAYOR'S INCENTIVE PROGRAM (PAUL CALLEGARI, KAHDRA HOBDY, JOSEPH RAEBEL & JABIN GOLDSTEIN). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-921-2020

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 employees:

August - Officer Paul Callegari
September-Officer Kahdra Hobdy
October-Officer Joseph Raebel
November - Officer Jabin Goldstein

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

BE IT FURTHER RESOLVED that the City Council finds this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

DETERMINE AN APPROPRIATION TO THE PROVIDENCE FOUNDATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, $2,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-922-2020

Sponsored by: Councilmember Richardson

WHEREAS, Councilmember Richardson wishes to appropriate $2,000.00 to Providence Foundation for its Festival of Flowers, from his discretionary funds; and

WHEREAS, Providence Foundation 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 Providence Foundation will be used for their annual Festival of Flowers “Seminars and Demonstration Venue” to be held March 12th and 13th, 2021 at the Cathedral Square in downtown Mobile, 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 $2,000.00 to Providence Foundation 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 that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich 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 UNITED WAY OF SOUTHWEST ALABAMA, INC., SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, $2,500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-923-2020

Sponsored by: Councilmember Williams

WHEREAS, Councilmember Williams wishes to appropriate $2,500.00 to The United Way of Southwest Alabama, Inc., from his discretionary funds; and

WHEREAS, The United Way of Southwest 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 United Way of Southwest Alabama, Inc., will be used to support their 2020 Community Campaign by assisting Mobile City residents with their health and human service needs, 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 $2,500.00 to The United Way of Southwest 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 that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

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

REAPPOINT DANIELLE TAYLOR TO THE HISTORY MUSEUM OF MOBILE BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-924-2020

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Danielle Taylor is hereby re-appointed to the History Museum of Mobile Board for a term effective December 31, 2020, and ending December 30, 2023.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is necessary to perform essential minimum functions of the Council.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR CLASS II (PACKAGE STORE) LICENSE FOR BAMA LIQUORS, 5364 US HWY. 90 W. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-925-2020

Sponsored by: Councilmember Williams

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the following application to the Alabama Alcoholic Beverage Control Board of the State of Alabama is hereby recommended for grant of such license by said Board.

Type of Application: Lounge Retail Liquor Class II (Package Store)

Submitted by: MA SHAKTI LLC

Location: Bama Liquors
5364 US Hwy. 90 West

BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this resolution is necessary to perform essential minimum functions of the Council.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

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

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO JOSHUA WILLIAMS, D/B/A MALIBU TRANSPORTATION SERVICE, LLC, TO OPERATE A SEDAN SERVICE.

RESOLUTION: 41-926-2020

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.

BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

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

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Joshua Williams d/b/a Malibu Transportation Service, LLC, to operate a sedan 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 the 5th day of January, 2021, 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.

Councilmember Richardson then moved to call for the public hearing, which move was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as January 5, 2021.

CALL FOR PUBLIC HEARING TO CONSIDER THE REVOCATION OF THE BUSINESS LICENSE OF CHRISTOPHER GULLEY D/B/A SHOTGUN WILLIE'S.

RESOLUTION: 41-927-2020

RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE REVOCATION OF THE BUSINESS LICENSE OF CHRISTOPHER GULLEY, D/B/A SHOTGUN WILLIES FOR VIOLATING THE LAWS AND ORDINANCES OF THE CITY OF MOBILE, ALABAMA

FINDINGS.

1. On December 5, 2018, Christopher Gulley was issued a business license to operate a "party hall" at 2605 Hall Mills Road, a location within the corporate limits of the city.

2. On August 11, 2019, Christopher Gulley was issued a zoning certificate to operate his business, Shotgun Party Hall located at 3211 Springhill Avenue.

3. The property is zoned as an events rental venue according to the City of Mobile Planning & Zoning Certificate.

4. In the month of October 2020, Mobile Police Department (hereinafter MPD) received complaints of illegal alcohol and drug sales occurring inside the party hall.

5. MPD began a compliance check to determine whether the business was selling alcohol without first obtaining a liquor license through the Alcohol Beverage and Control Board.

6. On October 24, 2020, MPD also began an investigation into drug activity occurring inside the party hall.

7. In the month of November 2020, MPD was able to verify that alcohol was being sold to patrons inside the party hall. MPD was also able to verify marijuana and ecstasy was being sold inside the business by employees.

8. On or about December 11, 2020, MPD executed a search warrant at Shotgun Willies and recovered alcohol and marijuana. Several arrests were made.

9. MPD arrested and charged Reginald Lewis, the party hall manager, with four (4) felony counts of distribution of controlled substances. He was also arrested for probation violation felony.

10. MPD arrested and charged William Frank Murphy, party hall security, for carrying a pistol without a permit, distribution and possession of controlled substances. Mr. Murphy was also on federal probation at the time of his arrest.

11. MPD arrested and charged Laron Joseph McCree, the party hall disc jockey, with two (2) counts of distribution of a controlled substance.

12. Section 34-64 of the City Code provides:

Any lawful license issued to any person to conduct any business shall be subject or revocation or suspension by the City Council for the violation by the licensee, his agent, servant, or employee, of any provision of the Code or of any ordinance of the city, or any statute of the state relating to the business from which such license is issued; and shall also be subject to revocation or suspension by the Council if the licensee, his agent, servant, or employee, under color of such license violates or aids or abets in violating or knowingly permits or suffer to be violated any penal ordinance of the city or any criminal law of the state; and shall also be subject to revocation or suspension by the Council if, in connection with the issuance or renewal of any license, the licensee or his agent filed or caused to be filed any application, affidavit, statement, certificate, book, or any other data containing any false, deceptive, or other misleading information or omission of material fact.

Now, therefore, be it resolved by the City Council of the City of Mobile, Alabama as follows:

13. That there is reasonable cause to believe the Christopher Gulley is unlawfully operating a business promoting the sale of alcohol and illegal narcotics; and that the operation of such business: is a public nuisance, has led to or resulted in the creation of a public nuisance; has created, caused, or led to circumstances that are detrimental to adjacent residential neighborhoods; has created , caused or led to circumstances that are detrimental to the public health, safety or welfare; has resulted in a violation of application zoning restrictions or regulations; that the licensee, and/or his/her/its agent, servant or employee has permitted suffered to allow habitual conduct that violates state laws or regulations or city ordinances relating to the business for which such license is issued; or has otherwise violated City Code Section 34-64;

14. That this matter is hereby set for a hearing to consider the revocation of said license on January 12, 2021, at 10:30 a.m. in the Council Chambers located at 205 Government Street, Mobile, Alabama; provided, however, that if the Mobile City Council is still meeting remotely at that time as authorized by the March 18, 2020, Proclamation of the Governor of Alabama, the public hearing will be held on said date at said time via Zoom video conference and participants will be invited to participate directly in the Zoom meeting remotely or via a video and audio station set up outside the Council Chambers at 205 Government St., Mobile, Alabama.

15. That a copy of this Resolution shall be personally served upon the licensee Christopher Gulley not less than ten (10) days before the date set for the hearing;

16. That on the date appointed for the hearing, the Council shall hear all evidence offered by any party and consider all evidence that may be presented bearing upon the question of revocation of the license; and

17. That following the hearing the Council will render a decision on the proposed revocation in accordance with Chapter 34 of the City Code.

Councilmember Richardson then moved to call for the public hearing, which move was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as January 12, 2021.

ANNOUNCEMENTS:

Councilmember Richardson announced that the Public Safety Committee will meet on January 19, 2021, at noon to discuss Ordinance 07-043.

Each Councilmember wished citizens a merry Christmas and a prosperous New Year.

Councilmember Williams encouraged citizens to get the coronavirus vaccine when it becomes available.

Councilmember Daves announced that the Finance Committee will meet on February 2, 2021, after the City Council meeting to discuss Ordinance 27-024.

Councilmembers Daves and Small shared the many challenges the City and citizens have faced in 2020.

Councilmember Rich announced that the Public Services Committee will meet on January 26, 2021, at 2:00 p.m. to discuss abandoned utility poles and infrastructure conditions.

Councilmember Rich thanked the medical community for all of their hard work during the Covid-19 pandemic.

Councilmember Gregory announced that the Administrative Services Committee will meet on Tuesday, January 5, 2021, at 2:00 p.m. to discuss short-term rentals.

Councilmember Richardson moved to adjourn the meeting, which move was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:15 a.m.

Adopted:

____
COUNCIL VICE PRESIDENT

____
CITY CLERK