MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 10, 2019

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, December 10, 2019, at 9:00 a.m.

Present:

Chairman:	Manzie
Councilmembers:	Richardson, Small, Williams, Daves, Rich 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.

Approved: December 17, 2019

_____
COUNCIL PRESIDENT

_____
CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 10, 2019

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, December 10, 2019, at 10:30 a.m., in regular meeting.

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

Pastor Neil White, Downtown Church at the Steeple, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: Councilmember Manzie requested everyone remain standing for a moment of silence to honor those killed in the recent terrorist attached at the Pensacola Naval Air Station.

Present on Roll Call:

Chairman:	Manzie
Councilmembers:	Richardson, Small, Williams, Daves, Rich and Gregory
Absent:	None

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer provided an overview of the City Council rules of procedure.

APPROVAL OF MINUTES:

The minutes of the meetings of December 3, 2019 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson reported on the program and christening of the USS Mobile.

Mayor Stimpson encouraged citizens to view the new mural on S. Jackson Street.

Mayor Stimpson announced that on-site press conferences will be held tomorrow to showcase the completed projects on McGregor Avenue and Florida Street.

Kesshia Davis, Events Mobile, gave an overview of the schedule for the New Year's Eve Moon Pie Drop.

ADOPTION OF THE AGENDA:

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

Ayes: Richardson, Manzie, 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.

APPEALS:

The Council considered the request of Emily Naron, Ultimate Audio Fabrication, for a waiver of the Noise Ordinance at 5770 I-10 Industrial Parkway N., on January 3, 2020 from 6:00 p.m. until 9:00 p.m. (District 4).

Councilmember Daves moved to grant the waiver, which motion was seconded by Councilmember Small and the vote was as follows:

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

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

PUBLIC HEARINGS:

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 408 ST. CHARLES AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 408 St. Charles Avenue a public nuisance and order it demolished 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 at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE 702 PLUM STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 702 Plum Street a public nuisance and order it demolished 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 at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 458 PLUM STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 458 Plum Street a public nuisance and order it demolished 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 at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 652 PILLANS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 652 Pillans Street a public nuisance and order it demolished 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 at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1162 NEWMAN LANE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2.

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1162 Newman Lane a public nuisance and order it demolished 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 at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 405 CALHOUN STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 405 Calhoun Street a public nuisance and order it demolished 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 at a later date.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. John Hilliard, 3054 Belmont Street, spoke in favor of Resolution 35-1037.

2. Turner Ward, P. O. Box 193, Saraland, Alabama, also spoke in favor of Resolution 35-1037.

3. Reggie Hill, 1007 Center Street, spoke about Ordinances 28-042 and 02-043 and Resolution 09-1117.

NON-AGENDA ITEMS:

1. Shemika Brown and Mellinie House, 285 Peachtree Center Avenue, Atlanta, Georgia, gave information regarding the 2020 census.

2. Mary Elizabeth Harper, 155 South Water Street, provided updates on the GulfQuest Maritime Museum.

3. David Clark, 1 South Water Street, presented Visit Mobile’s 2020 Annual Business Plan to the Council.

4. Joseph Seymour Jones, 1464 St. Stephens Road, expressed his concerns regarding the proposed Lafayette Heights Park.

ORDINANCES HELD OVER:

ORDINANCE TO ESTABLISH A BLUE RIBBON AFFORDABLE HOUSING AND NEIGHBORHOOD REVITALIZATION COMMISSION OF THE CITY OF MOBILE. The following ordinance, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meetings of December 3 and December 10, 2019, was called up by the Presiding Officer.

ORDINANCE: 28-042-2019

Sponsored by: Councilmembers Manzie and Small

AN ORDINANCE TO ESTABLISH A BLUE RIBBON AFFORDABLE HOUSING AND NEIGHBORHOOD REVITALIZATION COMMISSION OF THE CITY OF MOBILE

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

Section One. Findings, Establishment and Purpose.

(a) The City of Mobile has been experiencing a decline in housing stock, the availability of affordable housing, and overall disinvestment in traditionally mixed-income neighborhoods.

(b) Simultaneous with this decline, several public housing complexes have been closed and additional complexes may be closed by 2025.

(c) The City Council recognizes there is growing public concern over the availability of affordable housing, housing options, and neighborhood stability.

(d) In order to broaden awareness of the problem, identify potential solutions, and to advocate for an equitable housing agenda and neighborhood-oriented public policies, the Blue Ribbon Affordable Housing and Neighborhood Revitalization Blue Ribbon Housing Commission hereinafter, the “”Blue Ribbon Housing Commission” or “Commission” is hereby established.

(e) The purpose of the Blue Ribbon Housing Commission is to identify solutions necessary to promote, incentivize and improve affordable housing, revitalize and stabilize neighborhoods, and to achieve equity among all citizens and neighborhoods in the city as it pertains to housing and housing structures.

(f) The Blue Ribbon Housing Commission will coordinate with city departments and the Mobile Housing Board, as well as partner with communities and outside agencies, as it seeks to understand affordable housing, fair housing and neighborhood revitalization needs.

Section Two. Membership and duties.

(a) Duties. The Blue Ribbon Housing Commission is charged with carrying out the above-stated purpose and in doing so its duties will include, but will not be limited to, the following:

(1) Develop an understanding of the City’s affordable housing needs;

(2) Make policy recommendations to the City Council which promote, incentivize and improve affordable housing and advance housing equity in the city;

(3) Make policy recommendations to the City Council which curtail neighborhood disinvestment, provide alternatives to demolition as a method to accomplish blight abatement, incentivize reinvestment and provide additional housing opportunities in the City;

(4) Provide a forum where residents can raise, and bring to the Blue Ribbon Housing Commission's attention, issues and complaints relating to affordable housing issues in the City;

(5) Engage the community and gather community input regarding the need and utilization of City-funded programs and policies for the promotion of affordable housing;

(6) Promote, improve and advance equity in affordable housing;

(7) Promote and advance a City-wide Affordable Housing Plan, relying on best practices; and,

(8) Promote, improve and advance equity in economic and community development in the city, including but not limited to city-funded economic development programs and opportunities.

(b) Membership and appointment.

(1) The Blue Ribbon Housing Commission shall be comprised of 11 members appointed by the Mobile City Council for a two-year term, as follows:

i. Two members shall be appointed by the representatives of Districts 1, 2, 3, and 4;

ii. One member shall be appointed by the representatives of Districts 5, 6 and 7;

iii. The Executive Director of the Mobile Housing Board shall serve as an ex officio member; and,

iv. The Director of the Housing and Community Development Department shall serve as an ex officio member.

(2) All voting members must be residents of the city.

(3) Members may serve two full consecutive two-year terms.

(4) Members can be removed at the discretion of the City Council.

(5) In appointing members to the Commission, the City Council should endeavor to use the following criteria:

i. Members should have demonstrated interest and experience in affordable housing, fair housing, community development, neighborhood revitalization, and economic development;

ii. Membership should reflect the groups of individuals that the affordable housing program is intended to assist and protect, including but not limited to, individuals from different ethnicities, gender, religious beliefs, sexual orientation and socioeconomic backgrounds.

iii. Membership should encompass individuals from a diverse background, including gender, age, ethnicity, profession, and background.

Section Three. Blue Ribbon Housing Commission Procedures and Meetings.

(a) Rules of procedure. The Commission shall adopt rules of procedure necessary for the proper discharge of its duties, which govern, among other things, the election of a chair, frequency of meetings, the conduct and time of its meetings. All rules shall be in accordance with this Chapter, other City Ordinances and State Law.

(b) Initial Meetings. The Commission shall meet within 30 days of appointment and thereafter, as many times as necessary, as deemed by the chair, to complete the initial affordable housing incentives and neighborhood revitalization recommendations discussed within Section Five.

(c) Meetings. The Commission shall meet at least once every six months or as needed. All meetings of the Blue Ribbon Housing Commission shall be public meetings.

(d) Quorum and Voting. Six Commission members shall constitute a quorum. No action of the Commission shall be valid unless authorized by a simple majority of the members present at a properly called meeting where a quorum is present.

(e) Minutes. The Commission shall keep minutes of all its proceedings, indicating attendance, vote or failure to vote of each member on every question. The City Clerk, his or her designee, shall attend the meetings to keep minutes. These minutes shall be public records. The City Clerk, his or her designee, shall serve as the custodian of all Commission records.

(f) Resources and Support. Any resources requested by the Commission will be extended through City Council discretionary sources. The Council Attorney shall be available to offer legal assistance to the Blue Ribbon Housing Commission. The Department of Housing and Community Development and the Planning Division shall assist the Blue Ribbon Housing Commission in its work, as necessary. The City Clerk, or his or her designee, shall assist with scheduling meetings, distributing documents and any other administrative tasks, as necessary.

Section Four. Review and Recommendation.

(a) Plan Review. The City Council recognizes a number of plans have been produced which make recommendations on how to address affordable housing issues. The Commission will be provided copies (digital or paper) and shall review the various plans and reports addressing neighborhood revitalization, affordable housing, redevelopment of the public housing complexes, fair housing, and comprehensive urban planning.

(b) Recommendations. The Blue Ribbon Housing Commission shall recommend to the City Council and the Mayor specific actions, strategies, incentives and initiatives to facilitate affordable housing and neighborhood revitalization. The recommendations may include the development of new programs and incentives, the supplementation of existing programs, and the adoption, modification, or repeal of specific policies, procedures, or ordinances. At a minimum, the Commission shall make recommendations on, and evaluate the implementation of, affordable housing incentives.

Section Five. Initial Incentives and Recommendations Report.

(a) Incentives and Recommendations. The Blue Ribbon Housing Commission shall, within ninety (90) days from the date of its first meeting, file its initial report with the City Council and the Mayor. This report shall identify the Commission’s recommendations to incentivize affordable housing and strategies to support neighborhood revitalization. Such report must be adopted by affirmative vote of a majority of the Commission at a properly noticed public hearing.

(b) Notice. For the purposes of this section, properly noticed shall mean that notice of the time, date and place of such hearing has been published in a newspaper of general paid circulation in Mobile County no less than ten nor more than twenty days prior to such hearing. Notice shall also be given by the City Clerk on the City Council Agenda. Such notice must contain a concise summary of the recommendations to be considered by the

Commission and must advise the public where a complete copy of the draft report may be obtained.

Section Six. Affordable Housing and Neighborhood Revitalization Incentive Plan.

(a) Adoption of Incentives. Within forty-five (45) days after the date the City Council receives the initial incentives and recommendations report from the Commission, the City Council shall adopt, by ordinance, the City of Mobile Affordable Housing and Neighborhood Revitalization Incentive Plan. The plan shall consist of specific initiatives, incentives and any other actions necessary to facilitate affordable housing and neighborhood revitalization. The plan shall also identify organizations to partner with and a schedule for implementation of the initiatives.

(b) Funding Strategy. A funding strategy shall be presented to the Mayor, for consideration, of the implementation of the Affordable Housing and Neighborhood Revitalization Incentive Plan.

(c) Amendments. The City of Mobile Affordable Housing and Neighborhood Revitalization Incentive Plan may be amended from time to time as deemed necessary by the Council.

Section Seven. Subsequent Recommendations and Plans.

(a) City-wide Affordable Housing Plan. After filing its initial affordable housing incentives and recommendations report, the Blue Ribbon Housing Commission shall identify a methodology, strategy, scope and time frame for creating and developing a City-wide Affordable Housing Plan. Within 240 days from the date of its initial meeting, the Commission shall provide its recommendations to accomplish the City Wide Affordable Housing Plan to the City Council and the Mayor.

(b) Additional recommendations and review. From time to time, the Commission shall review the implementation of previously recommended strategies, incentives and plans to address affordable housing and neighborhood revitalization. The Commission may make additional recommendations or suggest amendments to existing incentives and strategies. Any report resulting from these meetings must be adopted by affirmative vote of a majority of the Commission at a properly noticed public hearing and thereafter submitted to the City Council and the Mayor.

This ordinance will become effective upon 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 Tuesday, December 31, 2019, which was seconded by Councilmember Rich and vote was as follows:

Ayes: Richardson, Manzie, 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.

CONSENT RESOLUTIONS HELD OVER:

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR SPRING HILL FOOD MART, 1507 SPRINGHILL AVENUE, SUITE A. The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meetings of December 3 and December 10, 2019, was called up by the Presiding Officer.

RESOLUTION: 37-1060-2019

Sponsored by: Councilmember Manzie

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: Retail Beer/Table Wine
(Off Premises Only)

Submitted by: Rajao LLC

Location: Spring Hill Food Mart
1507 Springhill Avenue, Suite A

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be held over until the regular meeting of Tuesday, December 17, 2019, which was seconded by Councilmember Rich and the vote was as follows:

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

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

DECLARE THE STRUCTURE AT 604 PEACH STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution, which was introduced and read at the regular meeting of December 3, 2019 and held over for one (1) week until the regular meeting of December 10, 2019, was called up by the Presiding Officer.

RESOLUTION: 40-1090-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 62, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 604 Peach Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8,14 and 15 and;

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 604 Peach Street as:

LOT 28 BLK 25 TISDALE SUB OF FISHER TRT DBK 75 P 260 #SEC 13 T4S RIW #MP29 06 13 0 002

Parcel number: 29 06 13 0 002 195

Last assessed to: WHITE SHEILA WILSON

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said

structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also 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 that the resolution be tabled, which was seconded by Councilmember Gregory and the vote was as follows:

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

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

CIP RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH MCELHENNEY CONSTRUCTION COMPANY, LLC FOR 2018 CIP TRINITY GARDENS AREA STREET AND DRAINAGE IMPROVEMENTS (WARSAW AVE. AND HARPER AVE.), $465,147.09. The following resolution, which was introduced and read at the regular meeting of December 3, 2019 and held over for one (1) week until the regular meeting of December 10, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-1096-2019

Sponsored by: Councilmember Richardson

WHEREAS, bids for street and drainage improvements for district 1 were received and opened on October 9, 2019.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from McElhenney Construction Company, LLC, in the amount of $465,147.09.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by McElhenney Construction Company, LLC.

NOW, THEREFORE, 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 with the company listed below for work as outlined in the contract attached hereto and made a part hereof as through set forth in full. A copy of said contract is on file in the office of the City Clerk;

Name of company: McElhenney Construction Company, LLC

Project name: 2018 CIP Trinity Gardens Area Street
and Drainage Improvements
(Warsaw Ave. and Harper Ave.)

Project number: 2018-3005-16B

Amount: $465,147.09

RESOLUTIONS HELD OVER:

AUTHORIZE AN ASSIGNMENT, ASSUMPTION AND AMENDMENT OF LEASE WITH BALLCORPS, LLC (HANK AARON STADIUM). The following resolution, which was introduced and read at the regular meeting of November 14, 2019 and held over until the regular meetings of November 19, November 26, 2019 and December 3 December 10, 2019, was called up by the Presiding Officer.

RESOLUTION: 35-1037-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, hereby authorizes the Mayor to execute and the City Clerk to attest an Assignment, Assumption and Amendment of Lease, substantially like the document attached hereto, by and among Ballcorps LLC, an Arizona limited liability company, Mobile Sports and Entertainment Group, LLC, an Alabama limited liability corporation and the City of Mobile, amending the License, Lease and Service Agreement between Mobile Professional Baseball Club, LLC and the City of Mobile, dated on or about April 16, 1996, the First Amendment thereof dated on or about September 9,1996, the Second Amendment thereof dated on or about March 25, 1997, and the Third Amendment thereof dated on or about January 11,2011; and, further, to take such actions necessary to administer said Assignment, Assumption and Amendment of Lease.

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

Ayes: Richardson, Manzie, 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.

TRANSFER $450,000 FROM THE STORM WATER FUND TO CAPITAL PROJECT #C0446 FOR THE PURCHASE OF A DUMP TRUCK, MINI EXCAVATOR AND OTHER ADDITIONAL STORM WATER MANAGEMENT ACTIVITIES. The following resolution, which was introduced and read at the regular meeting of December 3, 2019 and held over for one (1) week until the regular meeting of December 10, 2019, was called up by the Presiding Officer.

RESOLUTION: 09-1097-2019

Sponsored by: Mayor Stimpson

WHEREAS, THE CITY COUNCIL OF THE CITY OF MOBILE adopted Ordinance Number 01-024 on August 21, 2018 levying a storm water fee on Residential and Commercial Property to support the Storm Water Management Program (MS4); and

WHEREAS, Ordinance No. 01-024 is now codified at Article III, Chapter 17 of the Mobile City Code; and

WHEREAS, Sec. 17-47 of the Mobile City Code states:

"The storm water fees levied and collected pursuant to this division shall be deposited into a fund known as storm water find to be designated for expenses incurred complying with the City's NPDES permit for operations of its MS4, including but not limited to eliminating floatables from and improving water quality in the rivers, streams and waterways of the City and other storm water management activities required by the City's storm water management program. All amounts remaining in the fund at the end of the fiscal year shall not lapse but shall retain their dedication to storm water purposes."

WHEREAS, The Revenue Commissioner of Mobile County assessed, collected, enforced and remitted the fees to the City of Mobile; and

WHEREAS, in order for such funds to be utilized for the purposes set forth in section 17-47, the Mobile City Council desires to allocate the funds to a capital projects;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the sum of $450,000.00, currently deposited in the Storm Water Fund, be allocated to Capital Project #C0446 Municipal Storm Water Fees Project for the purchase of a Dump Truck, Mini Excavator and other additional storm water management activities.

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

Ayes: Richardson, Manzie, 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 ORDINANCES BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Small moved for the suspension of the rules to consider Ordinance 02-043 being introduced for the first time. The motion was seconded by Councilmember Gregory. Following comments from Councilmembers Rich and Manzie the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the item.

ORDINANCE REGULATING THE DISPOSITION OF CERTAIN SURPLUS CITY PROPERTY. The following ordinance was introduced by Councilmember Daves.

ORDINANCE: 02-043-2019

Sponsored by: Councilmembers Richardson, Daves and Gregory and Mayor Stimpson

AN ORDINANCE REGARDING THE DISPOSITION OF CERTAIN SURPLUS CITY PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA Chapter of the Mobile City Code is hereby amended to add a new Article entitled 'Disposition of Certain Surplus City Property' as follows:

Section 1. Findings/Purpose.

(a) The City of Mobile is the owner of certain real property which is used for various municipal purposes. As public service needs change, the need for these properties may also change and, on occasion, certain properties may be determined surplus, no longer needed for any municipal or public purpose, and appropriate for sale or lease as allowed by Alabama Code Sections 11-47-20, 11-47-21.

(b) The purposes of this Article are (1) to establish a procedure by which the City Council reviews unneeded City-owned real estate proposed for sale or lease; (2) to ensure transparency in the disposition process; and (3) to promote good stewardship and fiduciary responsibility with public assets.

Section 2. Scope.

(a) This section applies to the disposition of certain real property the City owns. It addresses both sales and leases.

(b) This section does not apply to the disposition of real property acquired by the City with federal funds through programs including but not limited to Community Development Block Grant ("CDBG"), HOME, Federal Transportation Authority ("FTA"), Housing and Urban Development ("HUD"), Federal Highway Administration ("FHWA"), National Fish and Wildlife Foundation {'NFWF"), RESTORE, and other state and federal agencies.

(c) This section does not apply to the sale or purchase of properties in Redevelopment Project Areas, which are subject to Chapter 52, Real Property and Maintenance Enforcement, Article VI of this code.

(d) This section does not apply to right of way easements, drainage and utility easements, construction easements, sidewalk easements and other property rights granted by the City in connection with public works projects.

(e) Exemption from the scope of this section does not in any way abrogate the authority of the City Council by ordinance to direct the disposal or lease of real property no longer needed public or municipal purposes; nor does it abrogate the requirement of Council approval prior to the disposition of any city real property, Alabama Code Section 11-47-20,11-47-21.

Section 3. Definitions.

(a) Advertisement: Listing real property for sale through one or more of the following methods; listing the property "For Sale" on City websites, listing the property as 'For Sale" on sites used by real estate professionals; posting a conspicuous "for sale" sign on the property offered; and using such other commercially reasonable and generally acceptable methods of advertising available from time to time.

(b) Appraisal: An opinion of value for real property prepared by an independent. State of Alabama certified appraiser.

(c) Broker Opinion of Value: An estimation of the value of a property prepared by a licensed real estate agent, broker or appraiser.

(d) Department: The City's Real Estate Department and/or the person assigned the responsibility to make recommendations to the council about the acquisition, lease or other disposition of City property.

(e) Fair Market Value: The amount a willing buyer would pay a willing seller to purchase the property or to lease the property.

(f) License: Permission or authority granted to a person, corporation, partnership or other entity to do a particular act or series of acts on City property without acquiring or possessing any real property interest therein.

(g) Real Property: Land and improvements permanently affixed thereto. Real property does not include temporary rights to use land such as licenses and rights of entry.

(h) Request for Bid (RFB): A procedure for the sale of City owned property under which the Real Estate Department issues a formal request for bids to purchase the subject property and awards the bid to the highest responsible and responsive bidder.

(i) Request for Proposal (RFP): A procedure for the sale of City owned property under which the Real Estate Department issues a formal request for Proposals to purchase the subject property. The Request for Proposals may include such covenants, conditions and restrictions as the City, in its sole discretion, deems necessary to ensure that the use, rehabilitation and redevelopment of the property is consistent with the public purposes of

the City. The City will consider compliance with these requirements in addition to price in selecting the highest responsible and responsive bidder.

Section 4. Authority to Sell or Lease Real Property.

(a) The City may dispose of real property no longer needed for public or municipal purpose through sale or lease.

(b) Prior to advertising, soliciting offers to purchase or in any way announcing the availability of City property for sale or lease under this section, the Real Estate Department will present to the City Council for approval a Resolution assenting to the sale or lease of the parcel identified. This Resolution is in addition to and not in lieu of an Ordinance directing the disposal or lease of real property no longer needed for public or municipal purposes entered pursuant \o Alabama Code Sections 11-47-20 or 11-47-21.

(c) Unless exempt under the following paragraph (d), the Department shall, after approval by the City Council of the resolution assenting to such sale or lease, cause to be erected upon the parcel to be offered a conspicuous "For Sale" sign which shall remain in place no less than thirty (30) days before any contract or agreement for such sale or lease shall be presented to the City Council for approval.

(d) Under certain circumstances, the Department may propose to the City Council a Resolution assenting to the sale or lease of real property, exempt from the advertising requirements of Section 3(c). These circumstances include but are not limited to; (i) exchanges of property; (11) sales or leases to a public entity or private entity serving a public purpose; or (ill) sale or lease to an individual who, due to the attributes of the property, is the only party to whom a sale or lease is practicable. This exception shall not apply unless the Resolution assenting to the sale or lease expressly waives the requirement of paragraph (c) above.

Section 5. Disposition by Sale or Lease.

Following adoption of a Resolution by the City Council assenting to the sale of City property, the Department may issue Requests for Bids, Requests for Proposals and Advertisements, propose Sales by Negotiation, Sales at or Below Fair Market Value for Public Purpose, property Exchanges, or any combination thereof.

Section 6. Adequacy of Consideration.

(a) The Department may utilize a broker opinion of value, appraisal, tax assessment, or different resources, to determine the fair market value of property proposed for sale or lease.

(b) The Council may review the evidence of value and make a determination of whether the proposed consideration is fair and adequate.

Section 7. Finding of Public Purpose.

The City Council may approve a sale or lease of real property for less than fair market value upon a finding by the Council that the sale or lease will serve a public purpose.

Section 8. Effective Date.

This Ordinance shall be in full force and effect on and after its adoption by the City Council and publication as required by law.

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be adopted, which was seconded by Councilmember Rich.

Following comments from Councilmember Rich, Councilmember Richardson moved to amend the ordinance as follows:

“6(b) The Council shall review the evidence of value and make a determination of whether the proposed consideration is fair and adequate.

6(c) The Council may require an appraisal in any transaction.”

The move was seconded by Councilmember Daves.

Councilmembers Gregory, Daves, Richardson, Manzie and Rich offered comments.

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

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

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

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Small moved for the suspension of the rules to consider Consent Resolutions 03-1098 -60-1113 being introduced for the first time. The motion was seconded by Councilmember Daves and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

RE-APPOINT L. CRAIG ROBERTS TO THE ARCHITECTURAL REVIEW BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-1098-2019

Sponsored by: Councilmember Rich

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that L. Craig Roberts is re-appointed to the Architectural Review Board effective December 31, 2019 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, Manzie, 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.

APPOINT CARMEL ALVIS TO THE ADVISORY COMMISION ON THE DISABLED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-1099-2019

Sponsored by: Councilmember Rich

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Carmel Alvis is appointed to the Advisory Commission on the Disabled effective December 31, 2019 for a term ending December 31, 2021.

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

Ayes: Richardson, Manzie, 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 JACK SINGLETON, SR. TO THE HISTORY MUSEUM OF MOBILE BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-1100-2019

Sponsored by: Councilmember Rich

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Jack Singleton, Sr. is re-appointed to the History Museum of Mobile Board effective December 31, 2019 for a term ending December 31, 2022.

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, Manzie, 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 DIANE FRANK TO THE MOBILE MUSEUM OF ART BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-1119-2019

Sponsored by: Councilmember Rich

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Diane Frank is re-appointed to the Mobile Museum of Art board effective December 31, 2019 for a term ending December 31, 2022.

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, Manzie, 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 MANUFACTURER LICENSE FOR BRAIDED RIVER BREWING COMPANY, 420 ST. LOUIS STREET. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-1101-2019

Sponsored by: Councilmember Manzie

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: Manufacturer

Submitted by: Braided River Brewing Company LLC

Location: Braided River Brewing Company
420 Saint Louis Street

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, Manzie, 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 CLUB LIQUOR CLASS II LICENSE FOR TROUBADOURS COUNTRY SALOON, 7790 TANNER ROAD, SUITE B. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-1102-2019

Sponsored by: Councilmember Gregory

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: Club Liquor Class II

Submitted by: CS Entertainment LLC

Location: Troubadours Country Saloon
7790 Tanner Rd., Ste. B
Mobile, AL 36608

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, Manzie, 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 I LICENSE FOR M AND P LOUNGE, 453 BAY SHORE AVENUE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-1103-2019

Sponsored by: Councilmember Williams

BE IT RESOLVED BY THE CITY COUNGIL 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

Submitted by: Melvin C. Johnson (Sole Proprietor)

Location: M and P Lounge
453 Bay Shore Avenue

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, Manzie, 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 RETAIL BEER/TABLE WINE LICENSE FOR SPEED 2, 7081 HOWELLS FERRY ROAD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-1104-2019

Sponsored by: Councilmember Gregory

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: Retail Beer/Table Wine
(Off Premises Only)

Submitted by: Speed 2 LLC

Location: Speed 2
7081 Howells Ferry Road

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, Manzie, 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.

DECLARE THE STRUCTURE AT 408 ST. CHARLES AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1105-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5,2017;

the accessory structure at 408 St. Charles Avenue has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52 in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 8, and 15; and

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 408 St. Charles Avenue as:

LOT 6 MODESTA SATORIA PLAT DBK156 P 592 #SEC 44 T4S RIW #MP29 02 44 0 030

Parcel number: 29 02 44 0 030 370

Last assessed to: DEES ANNIE C

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also 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 that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, 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.

DECLARE THE STRUCTURE AT 458 PLUM STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1106-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 458 Plum Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the Structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, 14 and 15; and

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 458 Plum Street as:

FROM TH SE COR OF HERCULES & PLUM STS RUN SLY ALG TH E/L OF PLUM ST 80 FT TO AN IRON STAKE FOR TH POB TH ELY & PAR TO HERCULES ST 74 FT TO AN IRON STAKE TH SLY & PAR TO PLUM ST 30 FT TO AN IRON STAKE TH WLY & PAR TO HERCULES ST 74 FT TO TH E/L OF PLUM ST TH NLY 30 FT TO POB #SEC 13 T4S RIW #MP29 06 13 0 002

Parcel number: 29 0613 0 002 427

Last assessed to: MARTIN MILDRED & NARBERT

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mall a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also 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 that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, 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.

DECLARE THE STRUCTURE AT 702 PLUM STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1107-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 702 Plum Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, and 15; and

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 702 Plum Street as;

BEG AT FT ON E/S OF PLUM ST 90 FT N FROM NE COR OF CHINQUEPIN & PLUM STS TH ELY & PAR WITH CHINQUEPIN ST 50 FT TH NLY & PAR WITH PLUM ST 71 FT TH WLY & PAR WITH CHINQUEPIN ST 50 FT TH SLY ALG E/L OF PLUIVI ST 71 FT TO BEG #SEC 13 T4S RIW #MP29 06 13 0 002

Parcel number: 29 0613 0 002 552

Last assessed to: MARTIN MILDRED & NARBERT

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mall a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also 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 that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, 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.

DECLARE THE STRUCTURE AT 652 PILLANS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1108-2019

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 652 Pillans Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, and 15; and

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 652 Pillans Street as:

LOT 7 BLK 6 ADDN TO SIMS 2ND ADD MBK 127/387 #SEC 37 T4S RIW #MP29 10 37 0 008

Parcel number: 2910 37 0 008 038

Last assessed to: HUDSON SAMUEL D & NANDELL B C/O FRANKS LINDA M

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also 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 that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, 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.

DECLARE THE STRUCTURE AT 1162 NEWMAN LANE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Manzie.

RESOLUTION: 40-1109-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 1162 Newman Lane has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, and 15; and

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW. THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1162 Newman Lane as:

LOT 68 IN BATTOTTI PL AS PER PUT REC IN DBK 93 NS PAGE 428 #SEC 44 T3S RIW #MP22 08 44 0 019

Parcel number: 22 08 44 0 019 105

Last assessed to: GIBBS NATHANIEL SR

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the

publication of municipal ordinances, and a certified copy of this resolution shall also 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 that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, 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.

DECLARE THE STRUCTURE AT 405 CALHOUN STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1110-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 405 Calhoun Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, and 15; and

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 405 Calhoun Street as:

LOTS 11, 12 & 13 BLK 65 CAMP GROUND TRT MBK 1/12 #SEC 40 T4S RIW #MP29 06 40 0 004

Parcel number: 29 06 40 0 004179

Last assessed to: CALLIER WILLIAM HENRY BUTCH

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also 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 that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, 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 CONTRIBUTION TO THE PROVIDENCE HOSPITAL FOUNDATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, $2,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1111-2019

Sponsored by: Councilmember Williams

A RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Williams wishes to donate $2,000.00 to Providence Hospital Foundation Festival of Flowers from his discretionary funds; and

WHEREAS, Providence Hospital Foundation Festival of Flowers is an Alabama non-profit corporation which provides quality healthcare to the sick and poor of the Mobile area; and

WHEREAS, the Attorney General of the State of Alabama has opined that payment of certain expenses is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this contribution to the Providence Hospital Foundation will be used for their annual Festival of Flowers "Seminars and Demonstration" Venue to be held March 26-29, 2020, and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the Providence Hospital Foundation Festival of Flowers serves a public purpose and further approves and directs the payment of same.

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, Manzie, 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 CONTRIBUTION TO THE NEW LYONS PARK TENNIS ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, $500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1112-2019

Sponsored by: Councilmember Manzie

A RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Manzie wishes to donate $500.00 to the New Lyons Park Tennis Association from his discretionary funds] and

WHEREAS, the New Lyons Park Tennis Association 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 payment of certain expenses is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this contribution to the New Lyons Park Tennis Association will be used for their Annual Turkey Day Tennis Classic Tournament to be held on November 22-24, 2019 and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the New Lyons Park Tennis Association serves a public purpose and further approves and directs the payment of same.

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, Manzie, 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 CONTRIBUTION TO THE BLESSING ANGELS GIFTING TREE SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, $2,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1113-2019

Sponsored by: Councilmember Williams

A RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Williams wishes to donate $2,000.00 to The Blessing Angels Gifting Tree, from his discretionary funds; and

WHEREAS, The Blessing Angels Gifting Tree, 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 payment of certain expenses is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this contribution to The Blessing Angels Gifting Tree, will be hosting their 2nd Annual Holiday Toy Drive and Senior Wish Granting Celebration to be held on December 21, 2019; and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to The Blessing Angels Gifting Tree serves a public purpose and further approves and directs the payment of same.

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, Manzie, 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.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH WRICO SIGNS, INC. FOR NEW PARK SIGNS – VARIOUS PARKS, $49,322.00 (2017 CIP #29 & #412, 2019 CIP #S 1086, 1090, 1095 1102, 1067, 1068, 1059 & 1066). The following resolution was held over until the regular meeting of Tuesday, December 17, 2019.

RESOLUTION: 21-1114-2019

Sponsored by: 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: Wrico Signs, Inc.

Project name: Various Parks - New Park Signs

Project number: PR-144-17

Amount: $49,322.00 (2017 CIP #291 and #412
2019 CIP #1086, #1090, #1095, #1102, #1067,
#1068, #1059 and #1066)

AUTHORIZE CONTRACT WITH AEIKER CONSTRUCTION CORPORATION FOR HERITAGE NEIGHBORHOOD GREEN – SITE IMPROVEMENTS, $169,200.00 (2018 CIP #2017-128 & CIP #2040, D2). The following resolution was held over until the regular meeting of Tuesday, December 17, 2019.

RESOLUTION: 21-1115-2019

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: Aeiker Construction Corporation

Project name: Heritage Neighborhood Green - Site Improvements

Project number: PR-119-17

Amount: $169,200.00 (2018 C1P#2017-128 and CIP#2040. D2)

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Small moved for the suspension of the rules to consider Resolution 09-1117 being introduced for the first time. The motion was seconded by Councilmember Daves and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the item.

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH MID-WESTERN COMMERCIAL ROOFERS, INC. FOR FIRE STATION #22 (TAPIA) – ROOFING, $94,720.00. The following resolution was held over until the regular meeting of Tuesday, December 17, 2019.

RESOLUTION: 21-1116-2019

Sponsored by: Councilmember Rich 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: Mid-Western Commercial Roofers, Inc.

Project name: Fire Station #22 (Tapia) - Roofing

Project number: FD-002-20
Amount: $94,720.00

AUTHORIZE FY 19 PUBLIC WORKS SAFETY INCENTIVE PAYOUT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 09-1117-2019

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 Council join together through the City of Mobile's Public Works Safety Incentive Program to authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, to the selected employees on the attached list who incurred no disqualifying events.

These employees are to be commended for serving as role models to their peers on safe work habits and work performance which contributes to reducing the City's operational costs associated with worker's compensation claims and damage to City assets.

The resolution was read by the City Clerk; whereupon Councilmember Gregoy moved that the resolution be adopted, which was seconded by Councilmember Daves. Following comments from Councilmember Daves the vote was as follows:

Ayes: Richardson, Manzie, 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 REZONE PROPERTY AT 4213 HALLS MILL ROAD AND 4180 ALDEN DRIVE (EAST SIDE OF HALLS MILL ROAD, 165’ NORTH OF ALDEN DRIVE, EXTENDING TO THE NORTH SIDE, 276’ ± EAST OF MCCURRY LANE) FROM B-3 AND I-1 TO -1 (DISTRICT 4). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-1118-2019

Sponsored by: Councilmember Williams

A RESOLUTION DIRECTING THE CITY CLERK TO SCHEDULE A PUBLIC HEARING FOR THE PROPOSED REZONING OF PROPERTY AT 4213 HALLS MILL ROAD WITHIN THE CITY OF MOBILE, ALABAMA

Findings.

The City of Mobile Planning Commission has recommended approving an application to rezone property located at 4213 Halls Mill Road and 4180 Alden Drive (east side of Halls Mill Road, 165'± north of Alden Drive, extending to the north side of Alden Drive, 276'± east of McCurry Lane) from B-3, Community Business District, and I-1, Light Industry District, to LI, Light Industry District.

1. As required by section 64-9(B)(6) of the Mobile City Code, 1991, the Commission has furnished to Council a copy of its report, recommendation and supporting documents.

2. The Council has considered the information provided and finds it necessary and desirable to schedule the rezoning for a public hearing.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA AS FOLLOWS:

1. That the date and time set for the public hearing shall be January 7, 2020, at 10:30 a.m. in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama;

2. That the City Clerk shall publish in full the proposed ordinance for one insertion and an additional insertion of a synopsis of the proposed ordinance one week after the first insertion in a newspaper of general circulation published within the municipality as required by Ala. Code §11-52-77.

3. That at the hearing, all persons who desire shall have an opportunity to be heard in opposition to or in favor of such ordinance.

4. That after the close of the public hearing, the Council may approve the proposed ordinance with or without conditions; deny the proposed ordinance; consider zoning classifications other than those sought by the applicant; and take any other action allowed by law.

AN AMENDING THE ORDINANCE ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MOBILE ON THE 16TH DAY OF MAY, 1967, SAID ORDINANCE BEING COMMONLY KNOWN AS THE ZONING ORDINANCE.

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

Section One: That the Ordinance commonly known as the Zoning Ordinance and adopted on May 16,1967, together with the Zoning Map of the City of Mobile, 1967, be, and the same hereby is changed and altered in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

LOT 2, ROBERT MOORE PARK SUBDIVISION RESUBDIVISION OF LOT 1 AS RECORDED IN MAP BOOK 132 PAGE 79 PROBATE COURT RECORDS MOBILE COUNTY ALABAMA. LOT 2, RESUBDIVISION OF LOTS 4 & 5, LLOYD'S STATION INDUSTRIAL DEVELOPMENT VENTURE FIRST ADDITION AS RECORDED IN PLAT BOOK 137 PAGE 24 PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA...EXCEPTING THEREFROM THAT REAL PROPERTY CONVEYED TO THE BOARD OF WATER AND SEWER COMMISSIONERS OF THE CITY OF MOBILE BY DEED DATED APRIL 26, 1979 AND RECORDED IN REAL PROPERTY BOOK 2293 PAGE 917 PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA.

The classification of said property is hereby changed fi-om B-3, Community Business District, and I-1, Light Industry District, to I-1, Light Industry District, and it shall hereafter

be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in a I-1, Light Industry 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 Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a I-1, Light Industry District, until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and 2) full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

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

Ayes: Richardson, Manzie, 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 7, 2020.

ANNOUNCEMENTS:

Councilmember Williams presented Christmas gifts to his colleagues.

Councilmember Gregory provided a recap of the district seven Christmas party.

Councilmember Gregory announced that neighborhood signs with trash pick-up dates are now available through the Public Works Department.

Councilmember Gregory stated that applications for a new Council attorney will be accepted until December 13, 2019.

Councilmember Small announced the district three Christmas celebration will be tonight at Palmer Pillans.

Councilmember Small invited the public to attend the annual Parade of 3s on Saturday, December 14, 2019.

Councilmember Richardson remarked that he will join Mayor Stimpson for the official re-opening of Florida Street.

Councilmember Rich thanked Austal USA for the program to christen the USS Mobile.

Councilmember Rich stated that the district six holiday breakfast will be held on Wednesday, December 18, 2019 at the Connie Hudson Senior Center. A district six community meeting will also be held at the senior center on January 16, 2020.

Councilmember Manzie announced the district two holiday celebration will be held on Thursday, December 12, 2019, 6:00 p.m. at the Via Senior Center.

Councilmember Manzie reminded citizens to support Mobile by shopping local.

Lisa C. Lambert, City Clerk, announced that the December 17, 2019 Council meeting will be held at the History Museum.

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

Ayes: Richardson, Manzie, 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 12:30 p.m.

Adopted: December 17, 2019

_____
COUNCIL PRESIDENT

_____
CITY CLERK