

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 9, 2025

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, September 9, 2025, at 9:00 a.m.

Councilmembers:

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

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

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 9, 2025

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Tuesday, September 9, 2025, at 10:30 a.m., for the regular meeting.

The meeting was called to order by the City Clerk.

Pastor Tony Legear, Public Safety Chaplain offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER

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

COMMUNICATIONS FROM THE MAYOR

James Barber, Chief of Staff, offered comments regarding Ordinance 52-046.

The following employee was presented as Employee of the Month:

Cynthia “Lee” Callaghan #19565 – Parks & Recreation

Cassandra McAboy, Vice President of Events Mobile and Frederick Richardson, former councilmember gave comments about the 18th Annual MoonPie Drop on New Year’s Eve.

James Barber read a proclamation declaring September 2025 as “Sickle Cell Disease Awareness Month” in Mobile.

James Barber read a proclamation declaring September 2025 as “Library Card Sign Up Month” in Mobile.

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NOTE: Councilmember Penn recognized the advanced placement scholar students from John L. LeFlore High School in attendance.

NOTE: Councilmember Penn read a proclamation declaring October 6, 2025 as “National Cease Fire Day” in Mobile.

NOTE: Councilmember Reynolds recognized the Tillman’s Corner Area Learning Leadership (T.A.L.L) students from Faith Academy in attendance.

ADOPTION OF THE AGENDA

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

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

Nays: None

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

APPEALS

Request of Brent Day for a waiver of the Noise Ordinance at 1610 Government Street on October 25, 2025, from 5:00 p.m. – 9:00 p.m. (District 2).

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

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

Nays: None

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

PUBLIC HEARINGS

PUBLIC HEARING TO CONSIDER THE MODIFICATION OF A PREVIOUSLY APPROVED PLANNING APPROVAL FOR PROPERTY LOCATED AT 3610 AND 3720 MICHAEL BOULEVARD (DISTRICT 5).

The Presiding Officer announced that today was the day for the public hearing to consider the modification of a previously approved planning approval for property located at 3610 and 3720 Michael Boulevard 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 ordinance authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO CONSIDER THE MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 3610 AND 3720 MICHAEL BOULEVARD (DISTRICT 5).

The Presiding Officer announced that today was the day for the public hearing to consider the modification of a previously approved planned unit development for property located at 3610 and 3720 Michael Boulevard and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1606 KATYE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1606 Katye 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 later in the meeting.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 270 OAK DRIVE 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 270 Oak Drive 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 later in the meeting.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 506 PATTON 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 506 Patton 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 later in the meeting.

PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE 2025-2026 GENERAL FUND AND CAPITAL IMPROVEMENT FUND BUDGETS.

The Presiding Officer announced that today was the day for the public hearing to consider the adoption of the 2025-2026 general fund and capital improvement fund budgets and asked if there was anyone present to speak for or against this matter.

Brandon Reed, requested a cost-of-living increase for the police and fire retirees.

JaBare, requested additional funding for the Mobile Boys and Girls Club of Mobile.

Brooke Biling, asked questions about City services.

Reggie Hill, Mobile, Al – asked questions about the proposed budget.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

Antonie Maiben, 1059 Belvedere Circle W., offered comments regarding the Wave Transit.

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Cathy O’Keefe, 5713 Vendome Drive S., asked questions regarding the Council’s denial of rezoning properties located on Airport Boulevard between Dogwood Drive and Summit Drive.

Randy Reed, 2445 Rosedown Drive, Semmes, Al, offered comments about Resolution 09-1169.

Brooke Miller, 3912 Skyland Circle N., gave comments regarding Resolution 09-1169.

Reggie Hill, Mobile, Al, offered comments about Resolutions 09-1169, 09-1170, 21-1150 and Ordinance 52-046.

RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO HOWARD INDUSTRIES, INC. FOR SURVEILLANCE CAMERAS FOR PUBLIC SAFETY; \$51,502.00. The following resolution which was introduced and read at the regular meeting of September 2, 2025, and held over until the regular meeting of September 9, 2025, was called up by the Presiding Officer.

RESOLUTION: 08-1137-2025

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, 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
<u>29388</u>	2025	(1500) PUBLIC SAFETY ADMIN	22 AXIS POINT-TILT-ZOOM SURVEILLANCE CAMERAS FOR PUBLIC SAFETY (SEALED BID 5951)	\$51,502.00	<u>(292451)</u> <u>HOWARD INDUSTRIES INC</u>

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

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

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

APPROVE PURCHASE ORDER TO STIVERS FORD LINCOLN, INC. FOR FORD PICKUP TRUCK FOR TRAFFIC ENGINEERING DEPARTMENT; \$56,650.00. The following resolution which was introduced and read at the regular meeting of September 2, 2025, and held over until the regular meeting of September 9, 2025, was called up by the Presiding Officer.

RESOLUTION: 08-1140-2025

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, purchase order to

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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
<u>26740</u>	2025	(F7000) MOTOR POOL	ONE FORD F-350 4X4 SUPER CAB PICKUP TRUCK FOR TRAFFIC ENGINEERING (AL STATE CONTRACT)	\$56,650.00	<u>(292393) STIVERS FORD LINCOLN INC</u>

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

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

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

APPROVE PURCHASE ORDER TO SUNSOUTH, LLC FOR 5 JOHN DEERE MOWERS FOR PUBLIC SERVICES DEPARTMENT; \$83,980.75. The following resolution which was introduced and read at the regular meeting of September 2, 2025, and held over until the regular meeting of September 9, 2025, was called up by the Presiding Officer.

RESOLUTION: 08-1141-2025

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, 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
<u>28322</u>	2025	(F7000) MOTOR POOL	FIVE JOHN DEERE Z950R 60IN SIDE DISCHARGE MOWERS FOR PUBLIC SERVICES (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$83.980.75	<u>(291912) SUNSOUTH LLC</u>

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

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

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

APPROVE PURCHASE ORDER TO SUNSOUTH, LLC FOR 5 JOHN DEERE MOWERS FOR PUBLIC SERVICES DEPARTMENT; \$93,490.25. The following resolution which

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was introduced and read at the regular meeting of September 2, 2025, and held over until the regular meeting of September 9, 2025, was called up by the Presiding Officer.

RESOLUTION: 08-1142-2025

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, 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
<u>28327</u>	2025	(F7000) MOTOR POOL	FIVE JOHN DEERE Z970R 72IN SIDE DISCHARGE MOWERS FOR PUBLIC SERVICES (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$93,490.25	<u>(291912)</u> <u>SUNSOUTH LLC</u>

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

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

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

AUTHORIZE VARIOUS AMENDMENTS, REALLOCATIONS, APPROPRIATIONS, AND TRANSFERS TO THE FY 2025 GENERAL FUND BUDGET. The following resolution which was introduced and read at the regular meeting of September 2, 2025, and held over until the regular meeting of September 9, 2025, was called up by the Presiding Officer.

RESOLUTION: 09-1145-2025

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile routinely reviews its city budgets and financial resources; and

WHEREAS, as we near the end of fiscal year 2025 some departments have remaining allocated funds that will not be expended by the end of fiscal year 2025; and

WHEREAS, the new Jimmy Buffet exhibit at the maritime museum has been previously recognized as a favorable investment in tourism; and

WHEREAS, this resolution is to transfer available funds in the fiscal year 2025 general fund budget to the maritime museum for investment in the new Jimmy Buffet exhibit; and

WHEREAS, these transfers and amendments should have no negative impact on the services provided for the remainder of fiscal year 2025 and no operational or budgetary impact on the city's FY 2026 budget, and

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THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the following amendments, reallocations, appropriations and transfers be made to the fiscal year 2025 general fund budget:

Decrease line item 1004 2086 40010 (parks maintenance salaries) by \$300,000.

Decrease line item 1004 2086 41030 (parks maintenance health insurance) by \$200,000.

Increase line item 1004 9070 42080, performance contracts, by \$500,000.

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

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

Nays: None

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

TRANSFER FUNDS FROM DEFERRED REVENUES FUND TO CAPITAL ACCOUNT COPELAND COX TENNIS CENTER IN SUPPORT OF THE UNITED STATES TENNIS ASSOCIATION GRANT; \$112,000.00. The following resolution which was introduced and read at the regular meeting of September 2, 2025, and held over until the regular meeting of September 9, 2025, was called up by the Presiding Officer.

RESOLUTION: 09-1146-2025

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$112,000.00 be transferred from Deferred Revenues Fund (5020.25553) to Capital account C0791 CIP PK Copeland Cox Tennis Center. These funds were received in support of a United States Tennis Association (USTA) grant.

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

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

Nays: None

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

AUTHORIZE CONTRACT WITH PORT CITY TRANSIT, LLC FOR SERVICES TO OPERATE CITY'S TRANSIT SYSTEM; \$12,100,000.00 PER YEAR. The following resolution which was introduced and read at the regular meeting of September 2, 2025, and held over until the regular meeting of September 9, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1149-2025

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, an agreement, by and between the City of Mobile and Port City Transit, LLC, for five years, renewable for one additional five-year period without further City Council approval, in a total amount not to exceed \$12,100,000.00 per year, as

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appropriated funds are available, and to make application for, receive, and expend any such grant or other funds in furtherance of this purposes of this agreement, for services to operate the City of Mobile transit system, as outlined in the agreement 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.

The resolution was read by the City Clerk, whereupon Councilmember Woods moved to hold the resolution over for one week, which was seconded by Councilmember Daves and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over for one weeks until the meeting of September 16, 2025.

AUTHORIZE CONTRACT WITH PROTEC VIDEO FOR THE DEPLOYMENT AND MANAGEMENT OF TECHNOLOGY, TRAINING, AND CONSULTING SERVICES; \$695,000.00. The following resolution which was introduced and read at the regular meeting of September 2, 2025, and held over until the regular meeting of September 9, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1150-2025

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 one-year contract, by and between the City of Mobile and PROTECVIDEO, LLC., in an amount not to exceed \$695,000.00 for a period ending December 31, 2026, to begin upon execution, renewable, for the provision of professional services in the deployment and management of technology, training, and consulting services. A copy of said contract is on file in the office of the city clerk.

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

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

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

AUTHORIZE CONTRACT WITH SPV ASSOCIATES INC. D/B/A ONINDUS, FOR SERVICES RELATED TO THE IMPLEMENTATION OF THE CITY'S PROJECT MANAGEMENT PROGRAM; \$185,000.00. The following resolution which was introduced and read at the regular meeting of September 2, 2025, and held over until the regular meeting of September 9, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1151-2025

Sponsored by: Mayor Stimpson

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

Name of Company: SPV ASSOCIATES INC. (dba Onindus)

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Project Name: CIP CONSULTANT FOR TRIMBLE UNITY CONSTRUCT

Project Number: 2025-2045-02

Cost: \$185,000.00

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

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

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

AUTHORIZE CONTRACT WITH TINKER IMAGINEERS B.V. FOR PROFESSIONAL MUSEUM EXHIBIT DESIGN, PRODUCTION, AND INSTALLATION SERVICES FOR THE NATIONAL MARITIME MUSEUM; NTE \$2,000,000.00. The following resolution which was introduced and read at the regular meeting of September 2, 2025, and held over until the regular meeting of September 9, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1152-2025

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, an agreement, by and between the City of Mobile and Tinker Imagineers B.V., for professional museum exhibit design, production, and installation services for the National Maritime Museum of the Gulf, in a total amount not to exceed \$2,000,000.00, as appropriated funds are available, as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the Office of the City Clerk.

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

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

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

ORDINANCES BEING INTRODUCED

ADOPT CHAPTER 52 REAL PROPERTY MAINTENANCE AND ENFORCEMENT ARTICLE VIII, "VACANT STRUCTURE REGISTRY FOR HENRY AARON LOOP". The following ordinance was held over until the regular meeting of September 16, 2025.

ORDINANCE: 52-046-2025

Sponsored by: Mayor Stimpson

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

VACANT STRUCTURE REGISTRY

Sec. 52-200. Adoption.

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There is hereby adopted a vacant structure registry code for the Henry Aaron Loop in the City of Mobile.

Sec. 52-201. Purpose.

(a) The city has determined that uninspected and unmonitored vacant commercial structures in the Henry Aaron Loop (i) present a fire hazard; (ii) are often utilized by vagrants and transients (including drug abusers and traffickers) as dangerous and unsafe temporary shelters; (iii) detract from private and/or public efforts to rehabilitate or maintain surrounding buildings; and (iv) require additional regulation and services to protect the health, safety and welfare of the public.

(b) Under this Article, Owners of vacant commercial structures in the Henry Aaron Loop must register such vacant structures with the city, pay a vacant structure registration fee as set forth herein, and otherwise conform to the requirements of this vacant structure code.

(c) It is the intent of this Article that, through a registration, inspection, and monitoring process, and other improved public safety efforts, vacant commercial structures in the Henry Aaron Loop will be kept weathertight and secure from trespassers, will provide safe entry to police officers and firefighters in times of emergency, will not impede private and/or public efforts to rehabilitate or maintain surrounding properties, and will not otherwise present a public nuisance.

(d) It is the city's further intent for the provisions of this Article to supplement Chapter 52 Article II, Abatement of Unsafe Buildings and Structural Nuisances, by placing the responsibility to register and maintain a vacant commercial structure on the Owner of the structure before a condition of the structure becomes unsafe or a public nuisance.

Sec. 52-202. Definitions.

(a) For purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them as follows:

(1) Actively marketed: A property is being "actively marketed" when its Owner is, in good faith, doing those things and performing those activities standard and effective in the industry necessary to sell or lease a structure, including, but not limited to, using the services of a realtor licensed in the State of Alabama, or advertising the availability of the structure for sale or lease.

(2) Boarded: A Vacant Structure shall be deemed to be "boarded" if in place of one or more exterior doors, other than a storm door, or of one or more windows, there is a sheet or sheets of plywood or similar material covering the space for such door or window, in compliance with Mobile City Code, Section 52-1, Property Maintenance Code Boarding Methods.

(3) Code official: The city's code official, as defined in Section 52-22 of this Chapter, or his or her designee.

(4) Commercial structure: Any structure used or intended to be used to generate revenue. Commercial structures include structures leased to tenants who occupy the property for non-commercial uses such as residences or offices of non-profit organizations.

(5) Director: The City of Mobile official designated by the Mayor as the person to whom the Code Official reports, either directly or through the chain of command.

(6) Henry Aaron Loop: That geographic area within downtown Mobile bounded by Beauregard Street on the north, Water Street on the east, Canal Street on the south, and Broad Street on the west.

(7) Occupy/occupied/occupies: Any building or structure shall be deemed to be "occupied" if one or more persons conducts a lawful business or lawfully resides in the building as the

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licensed business occupant, or as the legal or equitable owner/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same.

(8) Open: A Vacant Structure shall be deemed to be "open" if any one or more exterior doors other than a storm door is broken, open, and/or closed but without a properly functioning lock to secure it; if one or more windows is broken or not capable of being locked and secured from intrusion; if any other opening in the structure allows entry into the structure by an unauthorized person; or any combination of the same.

(9) Owner: Any person, agent, firm or corporation having legal title to the real property, including any mortgage holder, bank, lien holder, company, institution, individual or other entity listed in the records of the office of the judge of probate of the county, and/or the estate of any deceased owner(s), and/or the last assessed owner in the property tax records of the Mobile County Revenue Commissioner with the legal right to enter the property.

(10) Square footage: The gross interior floor area of the structure measured to the exterior face of perimeter walls, including basements and mezzanines, but excluding structured parking and unenclosed exterior areas.

(11) Vacant Structure Registry: The structure registry created pursuant to this Article, specifically by section 52-204(a).

(12) Vacant Structure: A commercial structure on a parcel of real property that either:

(A) Has, for a continuous period of at least six (6) months, lacked regular, lawful occupancy by persons entitled to be on the premises, excluding intermittent, token, or incidental presence not amounting to bona fide use; or

(B) Has had substantially all lawful business operations cease for at least six (6) months. For purposes of this definition, if a discrete floor or other separately occupiable portion of a building has a current Certificate of Occupancy (CO) and is actively occupied, that occupied portion is not a Vacant Structure; however, any vacant portions of the building must be protected by fire-alarm systems that comply with Section 52-209(a)(5).

Sec. 52-203. Applicability, obligation to register, automatic registration, exemptions.

(a) Applicability and obligation to register. Except as provided in subsection (c) below, this Article is applicable to all Vacant Structures and their Owners in the Henry Aaron Loop in the City of Mobile. It is the obligation of the Owner of any Vacant Structure to register it with the Code Official in accordance with the provisions of section 52-204. Registration shall be required for all Vacant Structures, whether vacant and secure, vacant and open or vacant and boarded. Vacant Structures shall be registered on or before 30 days after becoming a Vacant Structure, unless exempt under subsection (c) below. The registration of a Vacant Structure and the payment of registration fees do not exonerate the Owner, agent, or responsible party from compliance with any other building code or zoning requirement.

(b) Registration by Code Official. When the Code Official has reason to believe a structure is a Vacant Structure that the Owner has failed to register, a notice will be posted on the subject structure stating that the Code Official has reason to believe that the structure is a Vacant Structure and directing the Owner to either (i) register the structure in accordance with the provisions of this Article or (ii) provide the Code Official evidence demonstrating that the structure is not a Vacant Structure. In addition to posting a notice on the suspected Vacant Structure, the Code Official shall, by certified mail; if undeliverable, by first-class mail, send a copy of the same notice to the Owner(s) of the property listed in the records of the Revenue Commissioner of Mobile County, or other records readily available to the City. If, 30 days after posting and mailing, the Owner has neither registered the property in the Vacant Structure Registry nor demonstrated to the satisfaction of the Code Official that the property is not a Vacant Structure, the Code Official shall add the structure to the Vacant Structure Registry using the information of record. In addition to all other fees,

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Owners of properties registered by the Code Official under this section shall owe a failure to register fee under Section 52-204 (d) (4).

(c) Exemptions. The following are exempt from the requirements of this Article:

(1) Any building owned by the city, county, state, or federal government.

(2) Buildings under construction or property that, in the reasonable discretion of the Code Official, is being actively renovated or rehabilitated; provided, this exemption shall be available for no more than 18 months, unless the Owner provides written justification satisfactory to the Code Official to extend the exemption.

(3) Actively Marketed Vacant Structures; provided, this exemption shall be available for no more than six (6) months, unless the Owner provides written justification satisfactory to the Code Official to extend the exemption.

(4) Vacant Structures that are vacant due to fire damage or damage caused by an extreme weather event; provided, this exemption shall be available for no more than six (6) months following the fire or extreme weather event, unless the City Council by resolution extends the exemption period due to a major disaster affecting numerous properties in the Henry Aaron Loop.

(5) Actively Marketed commercial structures in the Henry Aaron Loop purchased through an arm's length transaction for up to twelve (12) months following the date on which the purchase closes.

(6) Mixed-Occupancy Buildings. A building containing one or more Vacant Areas is not required to register under this Article if: (i) at least one discrete area of the building holds a current Certificate of Occupancy (CO) and is actively occupied; and (ii) all Vacant Areas comply with §52-209(a)(5), provided that the occupied area constitutes at least twenty percent (20%) of the building's gross leasable floor area or ten thousand (10,000) square feet, whichever is less.

Sec. 52-204. Registry, registration information, amending information, fees, dedicated, account, publication.

(a) Registry created. The Vacant Structure Registry is hereby created. The Code Official is hereby authorized to create, compile, monitor and enforce the Vacant Structure Registry. The city finance department is authorized to aid and assist the Code Official with the administration and collection of fees and other matters related to this Article.

(b) Registration information. Owners of property(ies) on which one or more Vacant Structures are located shall register the same with the city on a form supplied by the city. The registration form will require the following information, at a minimum:

(1) The street address of the Vacant Structure(s);

(2) The type of Vacant Structure(s);

(3) The square footage for each Vacant Structure;

(4) The name, residence address, business address, email address, telephone number, and mobile telephone number of all Owners of the Vacant Structure;

(5) The name, address, e-mail address, telephone number, and mobile telephone number, of all persons authorized to make or order repairs or services for the Vacant Structure;

(6) If an Owner resides or is domiciled outside the city, the name, address, e-mail address, mobile number and telephone number of a person located within the city who is designated to accept legal notices or service of process on matters concerning the Vacant Structure;

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(7) If the Owner is a corporation or a limited liability company, the name(s), address(es), and telephone number(s) of an officer or agent of the corporation or limited liability company designated to accept all legal notices of fees due or services of process with respect to the Vacant Structure;

(8) If the Owner is an estate, the name, address and telephone number of the executor of the estate;

(9) If the Owner is a trust, the name, address and telephone number of the trustee(s) designated to accept all legal notices of fees due or services of process with respect to the Vacant Structure;

(10) If the Owner is a partnership, the names, addresses and telephone number of all partners with an interest of ten percent or greater;

(11) If the Owner is any other form of unincorporated association, the names addresses and telephone numbers of all principals with an interest of ten percent or greater;

(12) Proof of a liability insurance policy in force for protection against damage to persons and property, so as to ensure that the purposes of this Article are met;

(13) Proof of a fire protection system(s) maintained and monitored in accordance with the International Fire Code 2021 Edition Section 901.6, as currently enacted or as hereafter amended.

(14) Proof of a plumbing system that either complies with city plumbing and building codes or is properly closed off and secured from infestation by rodents and insects.

(15) The Owner's plan for maintenance and repair of the Vacant Structure(s), including the time within which the Owner anticipates completion of all repairs necessary to bring the Vacant Structure(s) into compliance with the city building code.

(c) Amending information. If the registration information collected in accordance with this section changes or becomes inaccurate during any calendar year, it is the responsibility of the Owner, responsible party or agent for the same to contact the Code Official within 30 days of the occurrence of such change and advise the city of those changes in writing.

(d) Fees. There shall be a fee for each Vacant Structure subject to registration on the Vacant Structure Registry. The fees shall be remitted to the Code Official for deposit into a dedicated fund as defined in paragraph (e) below, as follows:

(1) For commercial structures used as residences with one to three units;

(i) For the first year, \$250.

(ii) For the second year, \$500.

(iii) For the third year, \$750.

(iv) For each subsequent year, \$1,000.

(2) For commercial structures used as residences with four to six units, and mixed commercial use and residential use of two to three residential units;

(i) For the first year, \$500.

(ii) For the second year, \$1,000.

(iii) For the third year, \$1,500.

(iv) For each subsequent year, \$2,000.

(3) For commercial structures used as residences with seven or greater units, and mixed commercial use and residential use with four or greater units:

(i) For the first year, \$1,000.

(ii) For the second year, \$2,000.

(iii) For the third year, \$3,000.

(iv) For each subsequent year, \$4,000.

(4) For commercial structures without any residential units, the greater of:

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- (i) For the first year, \$1,000 or \$0.05 per square foot.
- (ii) For the second year, \$2,000 or \$0.10 per square foot.
- (iii) For the third year, \$3,000 or \$0.15 per square foot.
- (iv) For each subsequent year, \$4,000 or \$0.20 per square foot.

(5) In addition to the above registration fees, for Vacant Structures that are registered by the Code Official under Section 52-203 (b), a failure to register fee of \$500.00.

(6) The Vacant Structure shall be registered prior to the issuance of any building permits for that structure, except for a demolition permit.

(e) Dedicated account. All fees collected pursuant to this Article shall be deposited into a fund known as the Vacant Structures Registry Fund and shall be appropriated to the city's Tax Increment Finance District 1 Fund, and therefore used solely to repair, rehabilitate or stabilize Vacant Structures, to administer this Article, in an effort to support economic development, property rehabilitation and blight reduction in the Henry Aaron Loop. All amounts remaining in the Vacant Structures Registry Fund at the end of the fiscal year shall not lapse but shall retain their dedication to the purposes of the Fund.

(f) Publication. The city may, from time to time and in its reasonable discretion, publish or disclose certain information contained in the Vacant Structure Registry, including, but not limited to:

(1) General demographic information about Vacant Structures registered on the Vacant Structure Registry;

(2) The address of Vacant Structures on the Vacant Structure Registry;

(3) The Owners of each Vacant Structure;

(4) The amount of time any Vacant Structure has been on the Vacant Structure Registry; and

(5) The amount of any delinquent fees due under this Article, or otherwise due to the city for any Vacant Structure.

The City shall not publish personal telephone numbers, personal e-mail addresses, individual residential mailing addresses, or other information protected from disclosure by law of natural-person Owners listed on the Vacant Structure Registry.

(g) Changes in ownership. A change in ownership of a Vacant Structure shall not remove the Vacant Structure from the Vacant Properties Registry or from complying with the requirements of this Article, nor shall it restart the period of exemption in subdivision (3), or (5), subsection (c) of section 52-203 of this Code. Fees arising under this article shall continue to accrue at the applicable rate until the structure either no longer constitutes a Vacant Structure or qualifies for an exemption, all transfers of ownership notwithstanding. All fees arising under this article shall run with the property and failure to pay such fees may result in the city filing a lien that attaches to the property. Such liens shall be municipal code liens enforceable in rem pursuant to Ala. Code §§ 11-40-62 through 11-40-69.

Sec. 52-205. Right of appeal.

(a) Request for reconsideration. The Owner shall have the right to request reconsideration by the Director of (i) the imposition of the registration fees imposed by this Article and/or (ii) the designation of a building as a Vacant Structure, by filing a request for reconsideration in writing to the Director no later than 15 calendar days after the date of the notice to the Owner that a property has been placed on the Vacant Structure Registry pursuant to section 52-203(b) or that fees are due under this Article. On the request for reconsideration, the Owner shall bear the burden of providing satisfactory proof that the building is occupied, that the building is not a Vacant Structure, or that the building is a Vacant Structure but exempt from registration.

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(b) Director's determination. Within 30 days, or as soon thereafter as is practicable, after the Director receives a request for reconsideration pursuant to section 52-205(a) above, the Director will contact the Owner(s) and afford them the opportunity to meet in person or virtually to present their request for reconsideration. Within 30 days, or as soon thereafter as is practicable after consideration of all information provided by the Owner, the Director shall grant or deny the request in writing and provide the Owner with a copy of the decision.

(c) Appeal of Director's decision. If the Owner receives an unfavorable decision from the Director, the Owner may appeal that decision to the City Council for review at a public hearing, which may be conducted during a regularly scheduled City Council meeting. Within 15 days following the date of the notice of the Director's decision, an Owner may file a written appeal with the City Clerk, indicating the portion of the decision he or she claims is inaccurate or incorrect. As soon as practicable after receiving the appeal, the City Clerk will request a copy of the record from the Director and, following receipt of the record, will schedule a public hearing to consider the appeal. Notice of the public hearing shall be provided to the Owner who shall be afforded the opportunity to appear in person and be heard. As soon as practicable after conclusion of the public hearing, the City Council will determine whether the decision of the Director properly applied the provisions of this Article and will affirm the decision if it finds that the Director properly applied the provisions of this Article and the decision is supported by substantial evidence.

(d) An Owner may appeal a decision of the City Council made pursuant to section 52-205(c) above, within thirty (30) days of its issuance to the Circuit Court of Mobile County.

Sec. 52-206. Penalties for Violations of this Article.

The failure or refusal of any Owner to register a Vacant Structure as required by this Article, knowingly providing false information or withholding information required to be provided by the registration requirements, or failure to comply with any of the provisions of this Article shall constitute a misdemeanor

offense, punishable upon conviction thereof by a fine of up to \$500, imprisonment for a period not to exceed six (6) months, and other penalties in accordance with Chapter 1 Article II of the Mobile City Code for each violation. Each month that an Owner knowingly fails or refuses to register a vacant structure as required by this Article shall be a separate violation. Criminal enforcement under this section is reserved for willful or repeated violations; nonpayment of fees may be pursued through civil remedies, including liens, under Section 52-208.

Sec. 52-207. Inspections, monitoring, corrective action.

(a) At the time of registration, or at any time thereafter, the Code Official shall determine whether an inspection of a Vacant Structure is necessary to identify any conditions that present a threat to public safety.

(b) The Code Official is authorized to conduct inspections of structures on the Vacant Structure Registry, and, to the extent feasible under the circumstances to take reasonable steps to ensure the structure (i) complies with the security and maintenance regulations for Vacant Structures in Section 52-209; (ii) is being kept weathertight and secure from trespassers; (iii) provides for safe entry to police officers and firefighters in times of emergency, (iv) does not impede private and/or public efforts to rehabilitate or maintain surrounding properties; (v) and does not present a public hazard. Inspection may be a visual inspection of the exterior of the vacant structure by the Code Official or his/her designee.

(c) If the Code Official determines that an internal inspection is necessary, he/she will make a reasonable effort to locate the owner, the owner's authorized agent, or other person having charge or control of the structure (herein referred to collectively as the "Owner") and request entry. If the Owner fails or refuses to grant entry, the Code Official shall have recourse to the remedies provided by law to secure entry.

(d) Any corrective action required to abate unsafe buildings and structural nuisances shall proceed under Article II of this Chapter 52.

Sec. 52-208. Non-payment; collection; municipal code liens.

(a) Personal obligation; civil action. Except for Owners who have properly perfected an appeal under §52-205, any registration, renewal, or other non-penalty fee due under §52-204 constitutes a debt due to the City. The City may commence a civil action to collect any unpaid amount. Nothing herein limits the City's ability to assess late charges authorized by this Article.

(b) Municipal code liens (civil penalties; enforcement/abatement costs). In lieu of, or in addition to, a civil action, the City may, upon nonpayment, record a Notice of Municipal Code Lien against the real property for any civil penalty imposed under this Article and any enforcement or abatement costs incurred to secure, inspect, re-inspect, board, clean, or otherwise remedy violations of this Article, consistent with Ala. Code §§11-40-62 through 11-40-69. Such municipal code liens do not include routine registration or renewal fees.

(c) Recording; interest; priority; owner-occupied exclusion. Upon recordation in the Office of the Judge of Probate, a municipal code lien shall bear interest at seven and one-half percent (7.5%) per annum from the date of filing and shall be superior to all liens except tax liens, as provided in Ala. Code §§11-40-62(4) and 11-40-63(b). Owner-occupied real property is excluded from in-rem enforcement as provided in §11-40-63(a).

(d) Notice of nonpayment. Prior to recording a municipal code lien or filing suit, the City shall provide written notice by certified mail to the Owner at the address of record; if undeliverable, the City may provide notice by first-class mail and posting a conspicuous notice on the structure.

(e) Foreclosure of municipal code liens. Municipal code liens may be enforced by judicial in-rem foreclosure pursuant to Ala. Code §§11-40-64 through 11-40-69 and City Code §52-139.

(f) Other lien authorities unaffected. This section does not limit the City's authority to assess and enforce assessment liens arising from unsafe structure abatement under Ala. Code §11-53B-1 et seq. or weed liens under Ala. Code §11-67-1 et seq., when those statutes are invoked.

Sec. 52-209. Vacant structure security and maintenance regulations.

(a) It shall be the responsibility of the Owner of a Vacant Structure to ensure the following:

(1) Vacant Structures shall be secured so as not to be accessible to unauthorized persons. Securing of Vacant Structures includes, but is not limited to, closing and locking windows, doors, walk-through, sliding, and garage doors/gates, and any other opening that may allow access to the interior of the property and/or structures. In the case of broken windows securing means re-glazing or boarding the windows.

(2) The Owner shall ensure that the property on which the structure is located is continuously in compliance with the requirements of this Article and all applicable provisions of the city's building code.

(3) The Owner of a Vacant Structure shall perform or provide for the performance of periodic maintenance, including but not limited to grass cutting or leaf removal on a timely basis.

(4) The Owner shall maintain a policy of liability insurance with coverage for not less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) aggregate protecting against injury or damage to person or property arising from the Vacant Structure and shall provide the Code Official proof of insurance upon request.

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(5) The Owner shall ensure that the Vacant Structure is at all times protected by a fire alarm system(s) that detects fires, transmits alarm signals to the public safety answering point (PSAP) via a UL-listed central station and is continuously monitored, maintained, and inspected as required by the International Fire Code 2021 Edition Section 901.6 and NFPA 72, as currently enacted or as hereafter amended. The system shall be supported by a dedicated power source. If the power source is electricity, it must comply with the city's electrical code.

(6) The Owner shall ensure that the Vacant Structure has a plumbing system that either complies with the city's plumbing and building codes or is properly closed off and secured from infestation by rodents and insects.

(7) The Owner shall install and maintain a Knox Box, type and mounting location as required by the Fire Code Official.

(8) The Owner shall ensure that the Vacant Structure and surrounding property have exterior lighting as required by the Code Official.

Sec. 52-210. Relation to other codes and laws.

It is to be understood that the intent and purpose of this Article are separate and distinct from other parts and sections of this City Code and the general laws of the State of Alabama which may also be applicable. The provisions of this Article are applicable to the Owners of such Vacant Structures as set forth herein and are in addition to and not in lieu of all other applicable provisions of this City Code. Where a condition constitutes an unsafe building or structural nuisance under Article II of this Chapter, enforcement, abatement, and cost recovery shall proceed under Article II; this Article addresses registration, inspection, and monitoring of vacant structures before such conditions arise or in parallel where appropriate.

Sec. 52-211. Severability.

The provisions of this Article VIII are severable. If any part of this article is held to be invalid by a court of competent jurisdiction, the remaining provisions of this chapter and of this article shall remain in full force and effect.

Sec. 52-212. Effective Date

This Article shall be effective the first day of the first month commencing six (6) months following its adoption.

Sec. 52-213. Review.

Within twenty-four (24) months after the effective date of this Article, the Director shall report to the City Council on compliance, costs, and outcomes in the Henry Aaron Loop and recommend whether to (i) continue, (ii) modify, or (iii) expand the program citywide.

CONSIDER THE MODIFICATION OF A PREVIOUSLY APPROVED PLANNING APPROVAL FOR PROPERTY LOCATED AT 3610 AND 3720 MICHAEL BOULEVARD.

The following ordinance was held over until the regular meeting of September 16, 2025.

ORDINANCE: 64-047-2025

Sponsored by: Councilmember Daves

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

WHEREAS, a Planning Approval was approved on February 21, 2008, to allow the expansion of a private school athletic complex located at 3610 and 3720 Michael Boulevard and described as follows:

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FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA, RUN THENCE NORTH 89°36' EAST, 1322.92 FEET; THENCE RUN SOUTH 00°32' EAST, 460 FEET TO THE POINT-OF-BEGINNING; THENCE CONTINUE SOUTH 00°32' EAST, 1545.17 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF MICHAEL BOULEVARD; THENCE RUN NORTH 74°09'49" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 637.97 FEET TO A POINT WHERE THE NORTH RIGHT-OF-WAY LINE OF MICHAEL BOULEVARD INTERSECTS THE EAST LINE OF MATTHEWS PARK ENTRANCE ROAD; THENCE RUN NORTH 00°32' WEST, ALONG SAID EAST LINE, 1366.94 FEET; THENCE RUN NORTH 89°36'48" EAST, 612.11 FEET TO THE POINT-OF-BEGINNING. TRACT CONTAINS 20.43 ACRES, MORE OR LESS.

ALSO,

LOT 1, MCGILL-TOOLEN ATHLETIC COMPLEX WEST, AS RECORDED ON INSTRUMENT # 2023070883, PROBATE RECORDS, MOBILE COUNTY, ALABAMA.

WHEREAS, the owner of said property applied for a Major Modification of the Planning Approval on March 17, 2025, to allow the expansion of a private school athletic complex.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on April 17, 2025, and recommended approval of the Major Modification of the Planning Approval subject to the following conditions:

1. Removal of references to off-site parking at the YMCA and Matthews Park;
2. Revision of the site plan to remove the note stating, "cans will be supplied for city pick up", and replace it with "site will be serviced by the existing dumpster(s) available on site";
3. Placement of a note on the site plan that the site will fully comply with development standards set forth in Article 3 of the Unified Development Code (UDC);
4. Retention of a note on the Final Planning Approval site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
5. Submittal to and approval by Planning and Zoning of the revised Modified Planning Approval site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (.pdf) to Planning and Zoning; and,
6. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- A. Is consistent with all applicable requirements of this Chapter;
- B. Is compatible with the character of the surrounding neighborhood;
- C. Will not impede the orderly development and improvement of surrounding property;
- D. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- E. The request is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- F. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- G. Shall not be detrimental or endanger the public health, safety or general welfare.
- H. Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

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

Section One: That the modification of the Planning Approval is hereby approved with the following required conditions:

1. Removal of references to off-site parking at the YMCA and Matthews Park;

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2. Revision of the site plan to remove the note stating, "cans will be supplied for city pick up", and replace it with "site will be serviced by the existing dumpster(s) available on site";
3. Placement of a note on the site plan that the site will fully comply with development standards set forth in Article 3 of the Unified Development Code (UDC);
4. Retention of a note on the Final Planning Approval site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
5. Submittal to and approval by Planning and Zoning of the revised Modified Planning Approval site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (.pdf) to Planning and Zoning; and,
6. 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.

CONSIDER THE MODIFICAITON OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 3610 AND 3720 MICHAEL BOULEVARD. The following ordinance was held over until the regular meeting of September 16, 2025.

ORDINANCE: 64-048-2025

Sponsored by: Councilmember Daves

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

WHEREAS, a Planned Unit Development was approved on February 21, 2008, to allow the expansion of an existing stadium complex with multiple buildings on a single building site located at 3610 and 3720 Michael Boulevard and described as follows:

FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA, RUN THENCE NORTH 89°36' EAST, 1322.92 FEET; THENCE RUN SOUTH 00°32' EAST, 460 FEET TO THE POINT-OF-BEGINNING: THENCE CONTINUE SOUTH 00°32' EAST, 1545.17 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF MICHAEL BOULEVARD; THENCE RUN NORTH 74°09'49" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 637.97 FEET TO A POINT WHERE THE NORTH RIGHT-OF-WAY LINE OF MICHAEL BOULEVARD INTERSECTS THE EAST LINE OF MATTHEWS PARK ENTRANCE ROAD; THENCE RUN NORTH 00°32' WEST, ALONG SAID EAST LINE, 1366.94 FEET; THENCE RUN NORTH 89°36'48" EAST, 612.11 FEET TO THE POINT-OF-BEGINNING. TRACT CONTAINS 20.43 ACRES, MORE OR LESS.

ALSO,

LOT 1, MCGILL-TOOLEN ATHLETIC COMPLEX WEST, AS RECORDED ON INSTRUMENT # 2023070883, PROBATE RECORDS, MOBILE COUNTY, ALABAMA.

WHEREAS, the owner of said property applied for a Major Modification of the Planned Unit Development on March 17, 2025, to allow the expansion of an existing stadium complex with multiple buildings on a single building site.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on April 17, 2025, and recommended approval of the Major Modification of the Planned Unit Development (PUD) subject to the following conditions:

7. Removal of references to off-site parking at the YMCA and Matthews Park;
8. Revision of the site plan to remove the note stating, "cans will be supplied for city pick up", and replace it with "site will be serviced by the existing dumpster(s) available on site";
9. Placement of a note on the site plan that the site will fully comply with development standards set forth in Article 3 of the Unified Development Code (UDC);

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10. Retention of a note on the Final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
11. Submittal to and approval by Planning and Zoning of the revised Modified PUD site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (.pdf) to Planning and Zoning; and,
12. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- I. Is consistent with all applicable requirements of this Chapter;
- J. Is compatible with the character of the surrounding neighborhood;
- K. Will not impede the orderly development and improvement of surrounding property;
- L. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- M. The request is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- N. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- O. Shall not be detrimental or endanger the public health, safety or general welfare.
- P. Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

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

Section One: That the modification of the Planning Approval is hereby approved with the following required conditions:

7. Removal of references to off-site parking at the YMCA and Matthews Park;
8. Revision of the site plan to remove the note stating "cans will be supplied for city pick up", and replace it with "site will be serviced by the existing dumpster(s) available on site";
9. Placement of a note on the site plan that the site will fully comply with development standards set forth in Article 3 of the Unified Development Code (UDC);
10. Retention of a note on the Final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
11. Submittal to and approval by Planning and Zoning of the revised Modified PUD site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (.pdf) to Planning and Zoning; and,
12. 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.

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

Councilmember Gregory moved for the suspension of the rules to consider consent resolutions being introduced for the first time. The motion was seconded by Councilmember Daves, following comments from Councilmember Carroll the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

DECLARE THE STRUCTURE AT 1606 KATYE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1155-2025

Sponsored by: Councilmember Penn

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 1606 KA TYE 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 11 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. 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 **1606 KATYE STREET described as:**

LOT 13 BLK 11 LINCOLN PARK SUB 2 MBK 4/284 #SEC 44 T4S R1W #MP29 02440012

Parcel Number: 29 02 44 0 012 206

Last Assessed to: LANE ARMSTERE & RUTHA LANE C/O MCMILLIAN TRACY RENEE

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 to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

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

Nays: None

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

DECLARE THE STRUCTURE AT 270 OAK DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1156-2025

Sponsored by: Councilmember Carroll

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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 270 OAK DRIVE 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. 1, 2, 3, 4, 5, 7, 8, 10, 11, 12, 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 **270 OAK DRIVE described as:**

LOTS 19 & 20 BLK 3 HARTWELL PLACE MBK 3 P 315 #SEC 44 T4S R1W #MPZ9 OZ 44 0 030

Parcel Number: 29 OZ 44 0 030 232

Last Assessed to: SLACK TREASURE LAVE RT C/O URISHICA D KYLES

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 to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

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

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

DECLARE THE STRUCTURE AT 506 PATTON AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1157-2025

Sponsored by: Councilmember Carroll

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 506 PATTON 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

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structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A • No. 3, 4, 7, and B; 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 **506 PATTON AVENUE** described as:

LOTS 46 & 47 BLK 5 OF DIXIE PARK SUB AS PER MAP REC MBK 3 PG 273-6 #SEC 25 T4S R1W #MP29 07

Parcel Number: 29 07 25 O 002179

Last Assessed to: CAMPBELL VICTOR

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 Carroll moved to hold the resolution over for sixty days, which was seconded by Councilmember Reynolds and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over for sixty days until the regular meeting of November 18, 2025.

DECLARE WEEDS NOXIOUS, WEED LIEN GROUP 1668. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-1158-2025

A RESOLUTION DECLARING WEEDS GROWING UPON THE STREETS OR SIDEWALKS AND UPON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF MOBILE TO BE NOXIOUS OR DANGEROUS AND TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES.

WHEREAS, a survey has been made to determine the properties upon which or in front of which noxious or dangerous weeds are growing and the agents or employees of the City of Mobile have obtained the legal description of parcels of property in the City of Mobile upon which or in front of which such weeds are growing, and it has been determined to follow the provisions of Act No. 329 of the Legislature of the State of Alabama, approved on April 28, 1988, and to have caused such weeds to be cut or otherwise abated as public nuisances:

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

SECTION 1: It has been determined by the City Council of Mobile that the weeds growing on the privately owned lots or parcels of land described in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part thereof as though set forth in full,

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known as **Group #1668** under the caption "NOXIOUS OR DANGEROUS WEEDS GROWING ON PROPERTY," are noxious and dangerous, and such weeds are hereby declared to be public nuisances. The properties upon which such weeds are growing are all located within the corporate limits of the City of Mobile, about the streets referred to in the description which are more particularly described in said Exhibit "A."

SECTION 2: The weeds growing on or in front of the above-described parcels of property shall be abated by the removal of such noxious or dangerous weeds or they will be removed and the nuisances abated by the City of Mobile, in which case the cost of such removal will be assessed against the respective parcels of lands from which such weeds are removed, and such cost will constitute a lien upon such respective parcels of land until paid. A public meeting is hereby called to be held in the Auditorium of the Mobile Government Plaza, 205 Government Street, Mobile, Alabama, on the **14th day of October, 2025**, at ten thirty a.m., for the purpose of hearing any objections to the declarations contained in this resolution and to the proposed removal of such weeds, at which time all objections will be heard and given due consideration by the City Council of Mobile; and it is directed that there shall be conspicuously posted in front of each parcel of property, a notice headed "NOTICE TO DESTROY WEEDS," such heading to be in words not less than one inch in height and substantially in the form set out in such Act No. 329, approved April 29, 1988.

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE PARKS & RECREATION EMPLOYEE OF THE MONTH; CALLAGHAN. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1159-2025

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 to the following employee:

September 2025 – Cynthia "Lee" Callaghan (Employee # 19656) ACTIVITIES SPECIALIST I: Parks & Recreation

This employee is 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.

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

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

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

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

RESOLUTION: 60-1160-2025

Sponsored by: Mayor Stimpson

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

August 2025: Officer Ethan Turberville

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

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

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

Nays: None

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

AUTHORIZE CONTRACT WITH MARSHA SEWELL FOR PROFESSIONAL SERVICES FOR THE 2025 MUNICIPAL ELECTION. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 27-1176-2025

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 contract with Marsha Sewell for professional services for the 2025 Municipal Election, 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.

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

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

Nays: None

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

AUTHORIZE CONTRACT WITH IRIS FRAZIER FOR PROFESSIONAL SERVICES FOR THE 2025 MUNICIPAL ELECTION . The following resolution was introduced by Councilmember Daves.

RESOLUTION: 27-1177-2025

Sponsored by: Mayor Stimpson

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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 Iris Frazier for professional services for the 2025 Municipal Election, 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.

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

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

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

APPOINT ERNA WHISTON TO THE CITIZENS PARKS AND RECREATION ADVISORY COMMITTEE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-1178-2025

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Erna Whiston is appointed to the Citizens Parks and Recreation Advisory Committee effective immediately for a term ending September 10, 2027.

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

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

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

AUTHORIZE CONTRACT WITH WANDA JOHNSON FOR PROFESSIONAL SERVICES FOR THE 2025 MUNICIPAL ELECTION. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 27-1179-2025

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 contract with Wanda Johnson for professional services for the 2025 Municipal Election, 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.

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

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

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

CIP RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO GRAYBAR ELECTRIC COMPANY, INC. FOR STREETLIGHT POLES ON ST. LOUIS STREET; \$61,826.66. The following resolution was held over until the regular meeting of September 16, 2025.

RESOLUTION: 08-1161-2025

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, 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
<u>29160</u>	2025	(2060) TRAFFIC ENGINEERING	14 VISCO DECORATIVE 11FT STREET LIGHT POLES FOR ST LOUIS ST (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$61,826.66	(075199) GRAYBAR ELECTRIC CO INC

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider resolutions 08-1164, 08-1165, 08-1167, 08-1168, 13-1171 and 60-1172 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AMENDED LOAN AGREEMENT WITH JAMES W. BUFFETT DECLARATION OF TRUST 1990. The following resolution was held over until the regular meeting of September 16, 2025.

RESOLUTION: 01-1162-2025

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are authorized to execute and attest, respectively, for and on behalf of the City of Mobile, the Amended Loan Agreement between the City of Mobile and James W. Buffett Declaration of Trust 1990, for items on loan to the City to create an exhibit which honors Jimmy Buffett for the public to enjoy, which is attached hereto or one with wording substantially similar, and made apart hereof, as though set forth in full, and to take such further action necessary to effectuate the Agreement. A copy of said Agreement is on file in the office of the City Clerk.

AUTHORIZE EASEMENT AGREEMENT WITH 195, LLC FOR PRIVATE ROAD IN LOGAN COTTAGES. The following resolution was held over until the regular meeting of September 16, 2025.

RESOLUTION: 01-1163-2025

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Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, an Easement Agreement with 195, LLC, an Alabama limited liability company and owner of real property known as Logan Cottages, for the grant to the City of certain easement rights over, across and through the Private Road designated as Walsh Court as stated in the plat, to provide for the continuing maintenance of the Private Road by 195, LLC, and to provide for the indemnification of the City from liability and claims for damages which may arise out of 195, LLC breach of its obligations or the existence of said Private Road. The Agreement is attached hereto or one with wording substantially similar, and made a part hereof, as though set forth in full to take further action necessary to effectuate the Agreement. A copy of said Agreement is on file in the office of the City Clerk.

APPROVE PURCHASE ORDER TO DANA SAFETY SUPPLY, INC. FOR TRANSPORT OF TAHOE SUVS; \$22,500.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-1164-2025

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, 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
<u>29703</u>	2025	(1530) POLICE ADMIN SERVICES	TRANSPORT OF 45 CHEVROLET TAHOE PPV SUVS FROM UPFIT FACILITY TO CITY (AL STATE CONTRACT)	\$22,500.00	<u>(290980) DANA SAFETY SUPPLY INC</u>

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

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

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

APPROVE PURCHASE ORDER TO ONLIEN CONSULTING, INC. FOR PRE-PURCHASE OF IT TECHNOLOGY CREDITS FOR MIT: \$20,000.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-1165-2025

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, 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:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>29422</u>	2025	(5000) INFORMATION TECHNOLOGY	PRE-PURCHASE OF ONLC INFORMATION TECHNOLOGY TRAINING CREDITS FOR MIT (PRICE BELOW BID REQUIREMENT)	\$20,000.00	<u>(297304) ONLINE CONSULTING INC</u>

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

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

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

APPROVE PURCHASE ORDER TO SOUTHERN EMERGENCY & RESCUE VEHICLE SALES, LLC FOR AMBULANCE FOR MFRD; \$365,894.70. The following resolution was held over until the regular meeting of September 16, 2025.

RESOLUTION: 08-1166-2025

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, 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
<u>28473</u>	2025	(1510) FIRE ADMINISTRATION	ONE AEV TRAUMAHAWK AMBULANCE FOR MFRD (HGAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$365,894.70	<u>(298972) SOUTHERN EMERGENCY & RESCUE VEHICLE SALES LLC</u>

APPROVE PURCHASE ORDER TO TAYLOR POWER SYSTEMS FOR RENTAL OF EMERGENCY GENERATOR FOR THE CRUISE TERMINAL; \$17,200.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-1167-2025

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, 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:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>29755</u>	2025	(3037) BUILDING SERVICES	FOUR-MONTH RENTAL OF 250KW EMERGENCY GENERATOR FOR CRUISE TERMINAL (PRICE BELOW BID REQUIREMENT)	\$17,200.00	<u>(289551) TAYLOR POWER SYSTEMS</u>

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

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

Nays: None

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

APPROVE PURCHASE ORDER TO RESCUE ONE CORP. FOR INFLATABLE RESCUE BOATS WITH TRAILER FOR MFRD; \$44,724.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-1168-2025

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, 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
<u>27106</u>	2025	(1510) FIRE ADMINISTRATION	TWO RESCUE-ONE OB-430-R INFLATABLE RESCUE BOATS WITH TRAILER FOR MFRD (SEALED BID 5973)	\$44,724.00	<u>(299197) RESCUE ONE CORP.</u>

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

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

Nays: None

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

CONSIDER ADOPTION OF THE 2025-2026 GENERAL FUND AND CAPITAL IMPROVEMENT FUND BUDGETS. The following resolution was held over until the regular meeting of September 16, 2025.

RESOLUTION: 09-1169-2025

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the 2025-2026 General Fund and Capital Improvements Fund budgets are adopted.

AUTHORIZE AMENDMENTS, REALLOCATIONS, APPROPRIATIONS, AND TRANSFERS TO THE FY 2025 GENERAL BUDGET FOR PORT SECURITY GRANT FUNDS. The following resolution was held over until the regular meeting of September 16, 2025.

RESOLUTION: 09-1170-2025

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile periodically designates funds as match money to support the receipt and use of port security grant funds; and

WHEREAS, there exist in the FY 2025 police department budget available funding to commit funds as port security grant match funds; and

WHEREAS, these funds will support and enhance the city's port security efforts; and

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the following amendments, reallocations, appropriations and transfers be made to the fiscal year 2025 general fund budget:

Decrease FY 2025 line item 1004 1542 40010 (regular pay, police support services) by \$250,000.

Transfer \$250,000 from the general fund operating account to the port security grant fund (fund 5309).

AUTHORIZE CHANGE ORDER NO. 2 WITH THOMPSON ENGINEERING, INC. FOR U.S. HWY 45 STREETScape IMPROVEMENTS; INCREASE BY \$4,500.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 13-1171-2025

Sponsored by: Mayor Stimpson and Councilmember Penn

WHEREAS, the City entered into a contract dated November 8, 2023 with Thompson Engineering, Inc. for Geotechnical engineering testing services on the project known as U.S. 45 Streetscape Improvements, City of Mobile Project No. 2022-3005-06; and

WHEREAS, the Contract amount for the engineering testing services was based on fee negotiations for the original scope of services between the City of Mobile and Thompson Engineering, Inc; and whereas, the current original contract amount totals \$25,000.00; and

WHEREAS, additional scope was added to the project thereby increasing the engineering services cost by \$13,323.50, for a total of \$38,323.50; and

WHEREAS, during construction, unforeseen circumstances caused additional concrete testing to become necessary in the amount of \$4,500.00; and

WHEREAS, the contract provides on Page 18 that the "LABORATORY cost shall not exceed, unless otherwise approved: \$ 25,000.00";

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby authorize the additional fee of \$4,500.00, for a total of \$42,823.50, to be paid to Thompson Engineering, Inc. for engineering services on the U.S. 45 Streetscape Improvements Project.

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

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

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

APPROVE STIPEND FOR CAPTAIN JAMES CUNNINGHAM FOR EXPENSES ACCRUED WHILE ATTENDING THE FBI NATIONAL ACADEMY; \$3,950.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1172-2025

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 and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a stipend of \$3,950.00, to be trusted to Captain James Cunningham of the Mobile Police Department, for expenses accrued while attending said training at the FBI National Academy from September 27, 2025 to December 11, 2025.

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

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

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

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER THE PROPOSED MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 4350 MOFFETT ROAD (SCHEDULED FOR OCTOBER 14, 2025) (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-1173-2025

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

WHEREAS, a Planned Unit Development was approved on May 15, 2025, allowing construction of a multi-family development with 50 dwelling units in multiple buildings on a single building site located at 4350 Moffett Road, described as follows:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2, ANTHONY ESTATE, AS RECORDED IN MAP BOOK 98 PAGE 39, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE NORTH 88°40'29" WEST 172.33 FEET TO THE NORTHWEST CORNER OF LOT 1, ANTHONY ESTATE; THENCE NORTH 89°44'59" WEST ALONG THE NORTH LINE OF FRED MARSHALL COURT 50.00 FEET TO A POINT; THENCE SOUTH 89°36'54" WEST 147.94 FEET TO A POINT; THENCE NORTH 00°01'51" EAST 1082.94 FEET TO A POINT ON THE SOUTH LINE OF LOT 13, KUFFSKIE COURT, AS RECORDED IN MAP BOOK 23 PAGE 15 OF SAID RECORDS; THENCE NORTH 89°59'26" EAST ALONG THE SOUTH LINE OF LOTS 13 AND 12 OF KUFFSKIE COURT AND THE EASTWARD PROJECTION THEREOF 336.15 FEET TO

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A POINT; THENCE SOUTH 00°08'29" WEST 200.00 FEET TO A POINT; THENCE NORTH 89°59'26" EAST 25.00 FEET TO A POINT; THENCE SOUTH 00°22'25" EAST 434.90 FEET TO A POINT; THENCE SOUTH 00°46'51" EAST 451.36 FEET TO THE POINT OF BEGINNING.

WHEREAS, the owner of said property applied for a Major Modification of the Planned Unit Development on July 16, 2025, to allow construction of a multi-family development with 50 dwelling units in multiple buildings on a single building site.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on August 21, 2025, and recommended approval of the Major Modification of the Planned Unit Development (PUD) subject to the following conditions:

13. Retention of the 25-foot front yard setback along Fred Marshall Court on the Final PUD Site Plan, adjusted for any required dedication resulting from the subdivision request;
14. Retention of the lot size in square feet on the Final PUD Site Plan, adjusted for any required dedication, or provision of a table with this information;
15. Labeling of each building with its size in square feet on the Final PUD Site Plan, or provision of a table with this information;
16. Retention of the illustrated 75-foot rear setback on the Final PUD Site Plan, noting that removal in the future would require re-subdivision;
17. Revision of the Final PUD Site Plan to illustrate compliance with the bicycle parking requirements of Article 3, Section 64-3-12.A.9. of the UDC, including minimum required quantity and location;
18. Revision of the site plan to depict a minimum 24-foot-wide drive aisle to the rear of the community building providing access to a dumpster enclosure, unless the site is reconfigured for one-way circulation requiring only 14-foot-wide aisles;
19. Retention of directional arrows illustrating on-site traffic circulation on the Final PUD Site Plan, updated as necessary to reflect any revisions to drive aisle widths;
20. Retention of a note on the Final PUD Site Plan stating that parking lot lighting will comply with the illumination standards of Section 64-3-9.C. of the UDC;
21. Provision of a note on the Final PUD Site Plan stating that the site will comply with the architectural design feature requirements of Article 3, Section 64-3-6 of the UDC, including at least one element from each applicable design category (Site Frontage, Building Form – Height, Building Form – Wall, Architectural Feature);
22. Provision of a note stating the proposed buildings will not exceed 50 feet in height, in compliance with Article 2, Section 64-2-7.E. of the UDC;
23. Verification and, if necessary, revision of the landscape area calculation (currently listed as 225,415± square feet) on the Final PUD Site Plan to ensure accuracy and consistency with the total site area;
24. Retention of a note on the Final PUD Site Plan stating that the site will comply with the tree planting requirements of Article 3, Section 64-3-7 of the UDC;
25. Retention of the note on the Final PUD Site Plan stating all dumpsters will comply with the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;
26. Provision of a note stating any signage proposed for the site must be reviewed and permitted separately by the Planning and Zoning Department; illuminated signage must be installed by a licensed and bonded contractor and permitted through the Permitting Department;
27. Retention of the note on the Final PUD Site Plan stating that future development or redevelopment of the site may require additional modifications to the PUD, subject to approval by the Planning Commission and City Council;
28. Compliance with all Engineering comments noted in the staff report;
29. Compliance with all Traffic Engineering comments noted in the staff report;
30. Compliance with all Urban Forestry comments noted in the staff report;
31. Compliance with all Fire Department comments noted in the staff report;
32. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and the provision of one (1) copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
33. Full compliance with all municipal codes and ordinances.

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WHEREAS, the City Council finds that the proposed modification:

- a. Is consistent with all applicable requirements of this Chapter;
- b. Is compatible with the character of the surrounding neighborhood;
- c. Will not impede the orderly development and improvement of surrounding property;
- d. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- e. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- f. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- g. Shall not be detrimental or endanger the public health, safety or general welfare.
- h. Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

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

Section One: That the modification of the Planned Unit Development is hereby approved with the following required conditions:

13. Retention of the 25-foot front yard setback along Fred Marshall Court on the Final PUD Site Plan, adjusted for any required dedication resulting from the subdivision request;
14. Retention of the lot size in square feet on the Final PUD Site Plan, adjusted for any required dedication, or provision of a table with this information;
15. Labeling of each building with its size in square feet on the Final PUD Site Plan, or provision of a table with this information;
16. Retention of the illustrated 75-foot rear setback on the Final PUD Site Plan, noting that removal in the future would require re-subdivision;
17. Revision of the Final PUD Site Plan to illustrate compliance with the bicycle parking requirements of Article 3, Section 64-3-12.A.9. of the UDC, including minimum required quantity and location;
18. Revision of the site plan to depict a minimum 24-foot-wide drive aisle to the rear of the community building providing access to a dumpster enclosure, unless the site is reconfigured for one-way circulation requiring only 14-foot-wide aisles;
19. Retention of directional arrows illustrating on-site traffic circulation on the Final PUD Site Plan, updated as necessary to reflect any revisions to drive aisle widths;
20. Retention of a note on the Final PUD Site Plan stating that parking lot lighting will comply with the illumination standards of Section 64-3-9.C. of the UDC;
21. Provision of a note on the Final PUD Site Plan stating that the site will comply with the architectural design feature requirements of Article 3, Section 64-3-6 of the UDC, including at least one element from each applicable design category (Site Frontage, Building Form – Height, Building Form – Wall, Architectural Feature);
22. Provision of a note stating the proposed buildings will not exceed 50 feet in height, in compliance with Article 2, Section 64-2-7.E. of the UDC;
23. Verification and, if necessary, revision of the landscape area calculation (currently listed as 225,415± square feet) on the Final PUD Site Plan to ensure accuracy and consistency with the total site area;
24. Retention of a note on the Final PUD Site Plan stating that the site will comply with the tree planting requirements of Article 3, Section 64-3-7 of the UDC;
25. Retention of the note on the Final PUD Site Plan stating all dumpsters will comply with the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;

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26. Provision of a note stating any signage proposed for the site must be reviewed and permitted separately by the Planning and Zoning Department; illuminated signage must be installed by a licensed and bonded contractor and permitted through the Permitting Department;
27. Retention of the note on the Final PUD Site Plan stating that future development or redevelopment of the site may require additional modifications to the PUD, subject to approval by the Planning Commission and City Council;
28. Compliance with all Engineering comments noted in the staff report;
29. Compliance with all Traffic Engineering comments noted in the staff report;
30. Compliance with all Urban Forestry comments noted in the staff report;
31. Compliance with all Fire Department comments noted in the staff report;
32. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and the provision of one (1) copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
33. 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 Gregory and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as October 14, 2025.

CALL FOR PUBLIC HEARING TO CONSIDER REZONING PROPERTY LOCATED AT 2602, 2610, 2612, 2614, & 2616 OLD SHELL ROAD AND 1057 & 107 ITEM AVENUE FROM R-1 AND B-2 TO B-2 (SCHEDULED FOR OCTOBER 14, 2025) (DISTRICT 1).

The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-1174-2025

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

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

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

BEGINNING AT A CAPPED REBAR AT THE NORTHWEST CORNER OF OLD SHELL ROAD AND ITEM AVENUE IN THE CITY OF MOBILE, ALABAMA; THENCE NORTH 62°25'07" WEST ALONG THE NORTH LINE OF OLD SHELL ROAD 330.46 FEET TO A CAPPED REBAR; THENCE NORTH 04°59'53" EAST 689.50 FEET TO A CAPPED REBAR; THENCE SOUTH 83°03'23" EAST 165.69 FEET TO A CAPPED REBAR; THENCE SOUTH 05°13'42" WEST 594.18 FEET TO A CAPPED REBAR; THENCE SOUTH 85°44'37" EAST 140.72 FEET TO A CAPPED REBAR ON THE WEST LINE OF ITEM AVENUE; THENCE SOUTH 04°40'52" WEST ALONG SAID WEST LINE 218.43 FEET TO THE POINT OF BEGINNING.

The classification of said property is hereby changed from R-1, Single-Family Residential Urban District, and B-2, Neighborhood Business Urban District, to B-2, Neighborhood Business Urban District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said

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Ordinance in a B-2, Neighborhood Business Urban District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-2, Neighborhood Business Urban District, until the condition set forth below has been complied with: 1. 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 Gregory and the vote was as follows:

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as October 14, 2025.

CALL FOR PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE DOWNTOWN DEVELOPMENT DISTRICT REGULATING PLAN TO REZONE PROPERTY LOCATED AT 250 SAINT FRANCIS STREET FROM T-5.1 TO T-5.2 (SCHEDULED FOR OCTOBER 14, 2025) (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-1175-2025

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

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

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

LOT A, CONDOMINIUM SUBDIVISION, AS PER PLAT RECORDED IN MAP BOOK 121, PAGE 25, PROBATE COURT OF MOBILE COUNTY, ALABAMA.

The classification of said property is hereby changed from T-5.1 to T-5.2 and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a T-5.2, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a T-5.2, until the condition set forth below has been complied with: 1. 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 Gregory and the vote was as follows:

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as October 14, 2025.

ANNOUNCEMENTS

Councilmember Penn announced that a youth NFL Flag football league will be held on Saturday, September 20, 2025 from 9:00 a.m. to 12:00 p.m. at Sage Park.

Councilmember Daves offered comments about the City of Mobile's financial status for the past 12 years.

Councilmember Woods announced a District 6 community meeting will be held on September 18, 2025 at Oak Park Church at 5:30 p.m.

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

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:57 p.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK