

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 6, 2022

The Council of the City of Mobile, Alabama, met in the City Council’s Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, December 6, 2022, at 9:00 a.m.

Councilmembers:

Present: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Absent:

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, DECEMBER 6, 2022

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, December 6, 2022, at 10:30 a.m., for the regular meeting.

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

Pastor Josh Sparkman, Christ Presbyterian Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: City Clerk, Lisa C. Lambert asked for a moment of silence for Dr. Johnson Haynes, a professor at the University of South Alabama, who passed away last week.

NOTE: Councilmember Small asked for a moment of silence for Dr. Tony Waldrop, former President at the University of South Alabama, who recently passed away.

Present on Roll Call:

Chairman: Small
Councilmembers: Penn, Carroll, Reynolds, Daves, Jones, and Gregory
Absent:

STATEMENT OF RULES BY PRESIDING OFFICER

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

COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson announced “Tire Amnesty Day” will be this Saturday, December 10, 2022, at four different tire drop-off locations throughout the city from 8:00 a.m. to 11:00 a.m.

Mayor Stimpson reminded citizens that Art Walk will be this Friday, December 9, 2022.

Mayor Stimpson read and presented a proclamation to Frank Harkins declaring “Christmas on the Coast Ornament” as the official 2022 Christmas ornament for the City of Mobile.

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ADOPTION OF THE AGENDA:

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

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

Nays: None

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

APPEALS

Request of Gary Constantine, Order of Mystics, for a waiver of the Noise Ordinance at 254 St. Anthony Street on February 19, 2022, from 11:00 a.m. – 6:00 p.m. (District 2).

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

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

Nays: None

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

Request of Gary Constantine, Order of Mystics, for a waiver of the Noise Ordinance at 254 St. Anthony Street on February 21, 2022, from 6:00 p.m. – 10:00 p.m. (District 2).

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

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

Nays: None

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

PUBLIC HEARINGS

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 3200 AND 3202 OLD SHELL ROAD FROM R-1 AND B-3 TO B-3 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 3200 and 3202 Old Shell Road from R-1 and B-3 to B-3 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 59 ALEXANDER 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 59 Alexander Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Vivian Ruggs and Booker T. Ruggs, 59 Alexander Street, asked the Council for more time to fix the property.

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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 1160 CONGRESS STREET, A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1160 Congress 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 1253 GLENNON 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 1253 Glennon 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 DECLARE THE STRUCTURE AT 1713 NEW CONTI, F/K/A CONTI STREET, A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1713 New Conti, f/k/a Conti 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 CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BETHEL NON-EMERGENCY MEDICAL TRANSPORTATION, LLC TO OPERATE A NON-EMERGENCY MEDICAL TRANSPORT SERVICE.

The Presiding Officer announced that today was the day for the public to consider approval of a certificate of public convenience and necessity to Bethel Non-Emergency Medical Transportation, LLC to operate a non-emergency medical transport service and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

NON-AGENDA ITEMS:

1. Reverend Tonny Algood, 214 A DeSales Avenue, gave comments regarding the Mobile Police Department's treatment of the homeless.

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2. Timothy Jensen, 5150 A Albert Evans Road, S., Wilmer, AL, offered comments in opposition to medical cannabis dispensaries in Mobile.
3. Dr. Susan Ashbee, 4023 Audubon Drive E., gave comments in opposition to medical cannabis dispensaries.
4. Kalenski Adams, 1111 E. I-65 Service Road S., Suite 207, offered information about the "Opportunity Day" school tour.
5. Rodney Toomer, 1202 Navco Road, provided information about the "Opportunity Day" school tour.
6. Nina Dortch, 1111 E. I-65 Service Road S., Suite 207, provided information about "Opportunity Day" school tour.
7. Reggie Hill, 1007 Center Street, requested a response to his submissions for Chapter 38 and 46 of the Mobile City Code.

ORDINANCES HELD OVER

REZONE PROPERTY LOCATED AT 1263 BAKER STREET, FROM R-2 AND I-2 TO I-2. The following ordinance which was read and introduced at the regular meeting of November 22, 2022, and held over until the regular meetings of November 29, 2022, and December 6, 2022, was called up by the Presiding Officer.

ORDINANCE: 64-066-2022

Sponsored by: Councilmember Small

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

BEGINNING AT THE WESTERNMOST CORNER OF BLUE CREEK COAL SALES, INC SUBDIVISION, AS RECORDED IN MAP BOOK 129, PAGE 42 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 51°-37'-39" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF BAKER STREET (VARIABLE R/W) A DISTANCE OF 97.10 FEET; THENCE RUN SOUTH 39°-15'-47" EAST A DISTANCE OF 1,107.03 FEET; THENCE RUN NORTH 73°-02'-06" EAST A DISTANCE OF 272.51 FEET; THENCE RUN SOUTH 16°-57'-54" EAST A DISTANCE OF 300.63 FEET; THENCE RUN SOUTH 74°-18'-51" WEST A DISTANCE OF 2,336.69 FEET; THENCE RUN SOUTH 17°-09'-59" EAST A DISTANCE OF 17.39 FEET; THENCE RUN SOUTH 74°-10'-09" WEST A DISTANCE OF 162.33 FEET; THENCE RUN NORTHWESTWARDLY ALONG THE ARC OF A CURVE TO THE RIGHT (HAVE A DELTA OF 86°-42'-08", A RADIUS OF 40.50 FEET, A CHORD BEARING OF NORTH 62°-28'-46" WEST, AND A CHORD LENGTH OF 55.60 FEET) AN ARC DISTANCE OF 28.75 FEET; THENCE RUN NORTH 19°-07'-42" WEST A DISTANCE OF 66.15 FEET; THENCE RUN SOUTH 77°-18'-53" WEST A DISTANCE OF 118.95 FEET; THENCE SOUTH 07°-09'-

12" WEST A DISTANCE OF 272.43 FEET; THENCE RUN SOUTH 82°-20'-38" WEST A DISTANCE OF 50.26 FEET; THENCE RUN SOUTH 88°-15'-48" WEST A DISTANCE OF 82.45 FEET; THENCE RUN NORTH 84°-50'-55" WEST A DISTANCE OF 73.27 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID BAKER STREET; THENCE RUN NORTHEASTWARDLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE TO THE LEFT (HAVE A DELTA OF 55°-52'-18", A RADIUS OF 155.85 FEET, A CHORD BEARING OF NORTH 34°-59'-47" EAST, AND A CHORD LENGTH OF 146.03 FEET) AN ARC DISTANCE OF 151.98 FEET; THENCE RUN NORTH 06°-50'-11" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 279.28 FEET; THENCE RUN NORTHEASTWARDLY ALONG THE ARC OF A CURVE TO THE RIGHT (HAVE A DELTA OF 20°-02'-14", A RADIUS OF 254.55 FEET, A CHORD BEARING OF NORTH

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16°-51'-18" EAST, AND A CHORD LENGTH OF 88.57 FEET) AN ARC DISTANCE OF 89.02 FEET; THENCE RUN NORTH 26°-52'-25" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 255.92 FEET; THENCE RUN NORTHEASTWARDLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE TO THE RIGHT (HAVE A DELTA OF 24°-45'-14", A RADIUS OF 365.00 FEET, A CHORD BEARING OF NORTH 39°-15'-02" EAST, AND A CHORD LENGTH OF 156.47 FEET) AN ARC DISTANCE OF 157.69 FEET; THENCE RUN NORTH 51°-37'-39" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 982.61 FEET; THENCE RUN NORTH 39°-20'-35" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 47.00 FEET; THENCE RUN NORTH 51°-37'-31" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 694.17 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 50.91 ACRES, MORE OR LESS.

The classification of said property is hereby changed from R-2, Two-Family Residential District, and 1-2, Heavy Industrial District to 1-2, Heavy Industrial District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in 1-2, Heavy Industrial District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a 1-2, Heavy Industrial District until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and, 2) full compliance with all municipal codes and ordinances.

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

The ordinance was read by the City Clerk; whereupon Councilmember Small moved to hold the ordinance over for six weeks, which was seconded by Councilmember Daves, and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance held over for six weeks until the regular meeting of January 17, 2023.

RESOLUTIONS HELD OVER

AUTHORIZE AGREEMENT WITH ALABAMA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF TRAFFIC SIGNAL, SR 193 AND WALMART. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 01-1045-2022

Sponsored by: Mayor Stimpson and Councilmember Reynolds

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for the maintenance of the traffic control signal at the intersection of SR 193 and Walmart.

BE IT FURTHER RESOLVED that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and the official seal of the City be affixed thereto.

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BE IT FURTHER RESOLVED that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and acting Clerk of the City of Mobile, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City named therein, at a regular meeting of such Council and that such resolution is on file in the City Clerk's Office.

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

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

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

AUTHORIZE AGREEMENT WITH ALABAMA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF TRAFFIC SIGNAL: SR 193 AND HALLS MILL ROAD. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 01-1046-2022

Sponsored by: Mayor Stimpson and Councilmember Reynolds

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for the maintenance of the traffic control signal at the intersection of SR 193 and Halls Mill Road.

BE IT FURTHER RESOLVED that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and the official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and acting Clerk of the City of Mobile, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City named therein, at a regular meeting of such Council and that such resolution is on file in the City Clerk's Office.

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

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

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

AUTHORIZE AGREEMENT WITH ALABAMA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF TRAFFIC SIGNAL; US 90 AND SR 193. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 01-1047-2022

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Sponsored by: Mayor Stimpson and Councilmember Reynolds

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for the maintenance of the traffic control signal at the intersection of US 90 and SR 193.

BE IT FURTHER RESOLVED that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and the official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and acting Clerk of the City of Mobile, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City named therein, at a regular meeting of such Council and that such resolution is on file in the City Clerk’s Office.

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

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

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

AUTHORIZE PURCHASE ORDER TO SANSOM EQUIPMENT CO., INC. FOR 2 STREET SWEEPERS; \$552,588.00. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1048-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>2165</u>	2023	(F7000) MOTOR POOL	2 2023 ELGIN PELICAN STREET SWEEPERS FOR PUBLIC SERVICES (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$552,588.00	<u>(190715)</u> <u>SANSOM</u> <u>EQUIPMENT CO</u> <u>INC</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO SANSOM EQUIPMENT CO., FOR 2 STREET SWEEPERS; \$552,588.00. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1049-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1999</u>	2023	(F7000) MOTOR POOL	2 2022 ELGIN PELICAN STREET SWEEPERS FOR PUBLIC SERVICES (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$552,588.00	<u>(190715) SANSOM EQUIPMENT CO INC</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO BEARD EQUIPMENT COMPANY FOR 2 JOHN DEERE MOWERS FOR GOLF COURSE; \$182,394.00. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1050-2022

Sponsored by: Mayor Stimpson

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

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3</u>	2023	(F6130) AZALEA CITY GOLF COURSE	2 JOHN DEERE 770A FAIRWAY MOWERS FOR GOLF COURSE (SEALED BID 5736)	\$182,394.00	<u>(022254) BEARD EQUIPMENT COMPANY</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO LYTX, INC. FOR ONE-YEAR SUBSCRIPTION FOR DRIVECAM SERVICES FOR MOTOR POOL; \$159,532.44. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1051-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1634</u>	2023	(F7000) MOTOR POOL	ONE YEAR SUBSCRIPTION FOR DRIVECAM TELEMATICS SERVICES FOR 483 VEHICLE CAMERAS (GSA CONTRACT)	\$159,532.44	<u>(291836) LYTX INC</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO MUSCO SPORTS LIGHTING, LLC FOR FIELD LIGHTING FIXTURES FOR MIMS PARK; \$45,991.00. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

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RESOLUTION: 08-1052-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1418</u>	2023	(3032) ARCHITECTURAL ENGINEERING	FIELD LIGHTING FIXTURES FOR MIMS PARK (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$45,991.00	<u>(278697) MUSCO SPORTS LIGHTING LLC</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO MAGNET FORENSICS USA, INC. FOR ONE-YEAR SUBSCRIPTION FOR ONE YEAR SUBSCRIPTION FOR FORENSIC EXTRACTION AND ANALYSIS SOFTWARE FOR MPD CYBER DIVISION; \$16,087.80.

The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1053-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1985</u>	2023	(1945) POLICE CYBER DIVISION	ONE YEAR SUBSCRIPTION FOR MAGNET AXIOM FORENSIC EXTRACTION AND ANALYSIS SOFTWARE FOR MPD CYBER (SECURITY SOFTWARE 41-16-51(A)(15))	\$16,087.80	<u>(295509) MAGNET FORENSICS USA INC</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO FIVECAST PTY, LTD. FOR ONE-YEAR SUBSCRIPTION FOR OPEN-SOURCE ANALYSIS SOFTWARE FOR MPD CYBER DIVISION; \$82,150.00. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1054-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>2020</u>	2023	(1545) POLICE CYBER DIVISION	ONE YEAR SUBSCRIPTION FOR FIVECAST ONYX OPEN-SOURCE ANALYSIS SOFTWARE FOR MPD CYBER (SECURITY SOFTWARE 41-16-51(A)(15))	\$82,150.00	<u>(297413) FIVECAST PTY LTD</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO CLEARWORLD, LLC FOR 25 LIGHT POLES AND FIXTURES FOR THREE MILE CREEK GREENWAY TRAIL; \$173,798.00. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1055-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order

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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>2322</u>	2023	(2045) MAJOR PROJECTS	25 SOLAR WRAP LIGHT POLES AND FIXTURES FOR THREE-MILE CREEK TRAIL (SEALED BID 5732)	\$173,798.00	<u>(296353)</u> <u>CLEARWORLD</u> <u>LLC</u>

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

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

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

AUTHORIZE CONTRACT WITH CLARK GREER LATHAM AND ASSOC., INC. FOR DESIGN AND CONSTRUCTION SERVICES FOR NEW ANIMAL SHELTER FACILITY; \$1,308,000.00. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 21-1056-2022

Sponsored by: Mayor Stimpson

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

Name of Company: CLARK GEER LATHAM AND ASSOCIATES, INC.

Project Name: ANIMAL SERVICES - NEW FACILITIES

Project Number: BG-054-22

Amount: \$1,308,000.00

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

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

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

MINUTES OF DECEMBER 6, 2022

AUTHORIZE CONTRACT WITH STEARNS, CONRAD, AND SCHMIDT, CONSULTING ENGINEERS, INC. FOR A MOBILE COUNTY-WIDE RECYCLING FEASIBILITY STUDY; SUPPORTED BY A GRANT FROM ADEM; \$100,000.00. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 21-1057-2022

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 professional services contract, by and between the City of Mobile and Stearns, Conrad and Schmidt, Consulting Engineers, Inc. (D.B.A. SCS Engineers), 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 Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory, and the vote was as follows:

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

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

AUTHORIZE CONSULTANT CONTRACT WITH CHRISTIAN PREUS LANDSCAPE ARCHITECTURE FOR IMPROVEMENTS AT MIMS, LAUN AND STOTTS PARKS; \$279,204.00. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 21-1058-2022

Sponsored by: Mayor Stimpson and Councilmember Reynolds

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

Name of Company: CHRISTIAN PREUS LANDSCAPE ARCHITECTURE

Project Name: CONSULTANT AGREEMENT FOR IMPROVEMENTS AT 3 CITY OF MOBILE ALABAMA PARKS

Project Number: PR-039-22 MIMS PARK (D4)
PR-079-22 LAUN PARK (D4)
PR-080-22 STOTTS PARK (D4)

Amount: \$114,602.00 MIMS PARK PROJECT (C0037)
\$143,345.00 LAUN PARK PROJECT (C0746)
\$ 21,257.00 STOTTS PARK PROJECT (C0152)
\$279,204.00 TOTAL CONTRACT VALUE

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

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

Nays: None

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

ACCEPT DEED FOR EASEMENT FROM THE GORDON SMITH CENTER, INC. FOR THE THREE MILE CREEK GREENWAY TRAIL. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 23-1059-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby accepts a Deed for Easement from The Gordon Smith Center, Incorporation, an Alabama Municipal Corporation as needed for the Three Mile Creek Greenway Trail.

SAID DOCUMENT is by reference made a part of this resolution as fully as set forth herein and copies will be on file in the office of the City Clerk and in the office of the Real Estate Department of the City of Mobile.

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

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

Nays: None

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

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO MOBILE PEDAL TOURS, LLC TO OPERATE AN ELECTRIC MOTOR ASSISTED PEDAL VEHICLE. The following resolution was read and introduced at the regular meeting of November 29, 2022, and held over until the regular meeting of December 6, 2022, was called up by the Presiding Officer.

RESOLUTION: 37-1060-2022

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Mobile Pedal Tours, LLC for a Certificate of Public Convenience and Necessity to operate an electric motor assisted pedal vehicle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

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

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

Nays: None

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

ORDINANCES BEING INTRODUCED

REZONE PROPERTY LOCATED AT 3200 AND 3202 OLD SHELL ROAD FROM R-1 AND B-3 TO B-3. The following ordinance was held over until the regular meeting of December 13, 2022.

ORDINANCE: 64-067-2022

Sponsored by: Councilmember Penn

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

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

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

BEGINNING AT THE SOUTHEAST CORNER OF LOT I, BLOCK 2, INGATE PLACE AS RECORDED IN DEED BOOK 106 PAGE 86 PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA, THENCE NORTH 73° - 58' - 35- WEST ALONG THE NORTH LINE OF OLD SHELL ROAD 116.89 FEET; THENCE NORTH 00° - 09' - 28" EAST 175.00 FEET; THENCE SOUTH 73° - 43' - 52" EAST 116.53 FEET TO A POINT ON THE WEST LINE OF ABRAMS STREET; THENCE SOUTH ALONG SAID WEST LINE 174.62 FEET TO THE POINT OF BEGINNING; BEING A PORTION OF LOTS 1 AND 2, BLOCK 2, INGATE PLACE.

The classification of said property is hereby changed from R-1, Single-Family Residential District, and B-3, Community Business District, to B-3, Community Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in B-3, Community Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-3, Community Business District until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and, 2) full compliance with all municipal codes and ordinances.

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

ORDINANCE TO AMEND CHAPTER 1 OF THE MOBILE CITY CODE TO ADD NEW ARTICLE III "ALTERATION OF CORPORATE LIMITS". The following ordinance was held over until the regular meeting of December 13, 2022.

ORDINANCE: 83-068-2022

Sponsored by: Councilmembers Penn, Carroll, and Small

BE IT ORDAINED by the City Council for the City of Mobile, Alabama as follows:

Section One. Chapter 1, of the Mobile City Code 1991 is hereby amended to add a new Article III entitled "Alteration of Corporate Limits" as follows:

1. FINDINGS

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A. The decision to increase or decrease the land area of a city is primarily a legislative decision, to be exercised in accordance with the procedures set forth in the Code of Alabama.

B. State law authorizes four different methods by which cities may annex, or increase, the boundaries of its corporate limits:

i. by local legislative act;

ii. by consent of persons owning at least 60 percent of the acreage of the platted or unplatted land to be annexed, Ala. Code §11-42-1 through §11-42-6;

iii. by unanimous consent, as set out in Ala. Code §11-42-20 through §11-42-24; or,

iv. by special election initiated by council resolution. Ala. Code § 11-42- 40 through §11-42-88.

C. There are two different methods by which municipalities may de-annex, or reduce, the boundaries of its corporate limits.

i. by local legislative act; or

ii. by resolution of the council as set out in Ala. Code §11-42-200 through §11-42-213.

D. The decision to alter the corporate limits will necessarily involve weighing of benefits and burdens. A key consideration is whether the City will be able to function, i.e., to sustain a reasonable level of service over the long term. To do so, the City must have revenues that meet and exceed its expenses. It is therefore prudent that the council be provided sufficient information to ensure that its decision is informed, transparent, and fact-based.

2. PROCEDURE

A. Feasibility Study required. Annexations shall require a feasibility study which shall include the following minimum information:

i. A map of the area being considered for annexation ("study area") that illustrates the existing and proposed boundaries of the corporate limits and police jurisdiction.

ii. A parcel map illustrating the current boundaries of properties in the study area and showing the contiguous parcels within the corporate limits. The following information shall also be provided:

a. Current land use and/or zoning for each parcel (e.g. residential, business, unimproved, parkland or agricultural).

b. Stormwater facilities, water and amp; sewer availability, septic systems.

c. Identification of lands that are environmentally sensitive, wetlands, wildlife habitat, or that contain historic and cultural resources.

d. Identification of all non-conforming uses that will be created by the annexation.

e. Proposed land uses including type and density of residential areas

iii. An inventory of services that are currently being provided to the study area and the identity of the service provider, including utilities, police, fire and 911 emergency response, subdivision approval, building permits and inspections, libraries, parks, trails, and open space.

iv. Identification of services that will be assumed by the City of Mobile and provided and a projected timetable of the provision of such services.

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v. Linear feet of public roads, condition of existing streets, and whether such roads have sidewalks or otherwise meet City engineering standards.

vi. Current revenue generated, including taxes, business licenses and other fees.

B. COST BENEFIT ANALYSIS

A cost benefit analysis shall be provided showing whether the City has the current capability to provide services, and the costs of assuming the service over the next fifteen years, including:

i. The projected revenues, taxes, and fees.

ii. The anticipated expenses including expected new employees and equipment for City police and fire, building inspections, public works, stormwater management, libraries, parks and recreational facilities.

iii. The cost of street maintenance, trash and solid waste removal.

iv. The tax consequences to the property owners in the area to be annexed, as well as the property owners within the city, including increased fees for such services planning, zoning and code enforcement.

v. Where assumptions are made, the source data supporting such assumptions shall be provided.

3. OTHER INFORMATION

Additional information shall be provided showing whether the proposed annexation:

i. will eliminate or avoid creating islands and peninsulas of incorporated territory;

ii. will consolidate overlapping functions of government;

iii. will encourage equitable distribution of community resources and obligations;

iv. will promote efficient delivery of services;

v. will have a negative impact due to the condition of existing roads and habitable structures that are below city standards.

4. DEMOGRAPHICS

Information on projected demographic changes for the city in its entirety shall be provided.

5. COMMUNITY MEETINGS

A. In order to actively seek public participation and maximize public input, the Council and or the Administration will conduct a community meeting in each of the seven council districts (the "Community Meetings").

B. The Community Meetings will be held at a time and place determined by the Council and/or the Administration; provided, however, all Community Meetings shall begin no sooner than 5 p.m. except when requested by a significant number of citizens to hold the meeting during regular business hours.

C. Community Meetings will be open to the public so that all citizens may provide comments about the proposed annexation.

Section Two. This ordinance shall be in full force and effect on and after its adoption and publication as required by law.

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 09-1063 through 60-1085 being introduced for the first time, with the exception of 40-1065 and 40-1066. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the item

CONSENT RESOLUTIONS BEING INTRODUCED

TRANSFER FUNDS FROM DISTRICT 2 DISCRETIONARY ACCOUNT TO PARKS & RECREATION DEPT. REVENUE ACCOUNT; \$215.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 09-1063-2022

Sponsored by: Councilmember Carroll

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$215.00 to be transferred from the General Fund, District 2 Discretionary Account DSC-02, General Fund Account 10041020-42140 to the Parks & Recreation Department. Revenue Account 10002032-34497, for rental fees of the multi-purpose room for the Africatown Community Development Corporation luncheon to be held on December 8, 2022, at Robert L. Hope Community Center.

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, Jones, and Gregory
Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL RETAIL (MORE THAN 30 DAYS) LICENSE TO THE ADMIRAL HOTEL; 251 GOVERNMENT STREET. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-1064-2022

Sponsored by: Councilmember Carroll

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

Type of application: Special Retail (More than 30 days) License

Submitted by: 251 Government Property Owner, LLC

Location: The Admiral Hotel
251 Government Street
Mobile, AL 36602

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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, Jones, 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 59 ALEXANDER STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1065-2022

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 **59 ALEXANDER STREET** has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement inspection Checklist/Exhibit A - No. 3, 5, 6, 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 **59 ALEXANDER STREET** described as:

BEG AT NW COR OF ALEXANDER & CAMERON STS TH N 03 DEG 48 MIN E ALG W ROWL ALEXANDER ST A DIS OF 50.0 FT TO A PT TH N 86 DEG 17 MIN W A DIS OF 109.0 FT TO A PT TH S 03 DEG 48 MIN W A DIS OF 50.0 FT TO A PT ON N ROWL OF CAMERON ST TH 5 86 DEG 17 MIN E ALG SD N ROWL A DIS OF 109.0 FT TO POB BEING S 50.0 FT OF LOTS 49 & 50 ALEXANDER HEIGHTS DBK128 N S PG 599 & 600 #SEC 23 T4S R1W #MP29 07 23 0 006

Parcel Number: 29 07 23 0 006 141

Last Assessed to: GETER WILLIE LEE

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 Penn, and the vote was as follows:

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

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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 January 31, 2023.

DECLARE THE STRUCTURE AT 1160 CONGRESS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED/SECURED. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-1066-2022

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 **1160 CONGRESS STREET** has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 3, 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 **1160 CONGRESS STREET** described as:

PT LOT 2 LBK 25 CAMP GROUND TRT MBK 1/12 BEG AT SE COR LOT 25 TH W 34.17 FT N 125 FT E 34 .5 FT S 125 FT TO PT OF BEG #SEC 40 T4S R1W #MP29 06 40 0 004

Parcel Number: 29 06 40 0 004 455

Last Assessed to: LITTLE GEORGE JR C/O ROSEMARY WATSON

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/secured** 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 Penn, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 January 31, 2023.

DECLARE THE STRUCTURE AT 1253 GLENNON AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

MINUTES OF DECEMBER 6, 2022

RESOLUTION: 40-1067-2022

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 **1253 GLENNON AVENUE** has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 3, 5, 6, 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 1253 GLENNON AVENUE described as:

LOT 8 TERRILL SUB OF KEARNEY TRT DBK 77 P 507 BEING 100 X 50 FT #SEC 40 T4S R1W #MP29 06 40 0 004

Parcel Number: 29 06 40 0 004198

Last Assessed to: BRAGGS CAROL G & PAMELA T JONES

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, Jones, 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 1713 NEW CONTI, F/K/A CONTI, STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1068-2022

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

MINUTES OF DECEMBER 6, 2022

accessory structure at **1713 NEW CONTI F/K/A CONTI STREET** has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance:

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 3, 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 1713 NEW CONTI F/K/A CONTI STREET described as:

COMG AT A PT ON S/L OF CONTI ST FMLY NEW CONTI ST AT A PT 653.67 FT FROM W/L OF MONTEREY ST WHICH PT IS NW COR OF A LOT OF RUSSELL COLEMAN RUN TH WLY ALG S/L OF CONTI ST 60 FT FOR FRONT TH SLY & PAR TO MONTEREY ST 120 FT FOR DEPTH TH ELY & PAR TO CONTI ST 60 FT TO A PT TH NLY 120 FT TO POB #SEC 25 T4S R1W #MP29 07 25 0 008

Parcel Number: 29 07 25 0 008 087

Last Assessed to: MONROE ERIC

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 11 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, Jones, 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 FIREFIGHTER OF THE MONTH; BUTLER. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1069-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 each to the following employee(s): **Fire Service Driver Derrick J. Butler, Sr. (Emp #14030)** This employee is to be commended for his exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

MINUTES OF DECEMBER 6, 2022

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, Jones, and Gregory

Nays: None

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

DETERMINE AN APPROPRIATION TO TWIN OAKS NURSING HOME, LLC SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1070-2022

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate **\$1,000.00** to Twin Oaks Nursing Home, LLC from his discretionary funds; and

WHEREAS, Twin Oaks Nursing Home, LLC is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Twin Oaks Nursing Home, LLC will be used to assist with the Christmas tree lighting on December 7, 2022, which will serve a public purpose benefitting the City of Mobile and its citizens.

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

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

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

Nays: None

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

DETERMINE AN APPROPRIATION TO CC'S CLASSIC CATERING, LLC SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1071-2022

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wishes to appropriate **\$2,618.75** to CC's Classic Catering, LLC from his discretionary funds; and

WHEREAS, CC's Classic Catering, LLC, is an Alabama domestic company which provides a service to the community; and

MINUTES OF DECEMBER 6, 2022

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

WHEREAS, the Mobile City Council determines that this appropriation to CC's Classic Catering, will be used to help with the food for District 3 meeting on December 13, 2022, at Maryvale Elementary School, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$2,618.75** to CC's Classic Catering, LLC, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

Nays: None

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

DETERMINE AN APPROPRIATION TO CC'S CLASSIC CATERING SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 64-1072-2022

Sponsored by: Councilmember Jones

WHEREAS, Councilmember Jones wishes to appropriate **\$3,142.50** to CC's Classic Catering, LLC, from his discretionary funds; and

WHEREAS, CC's Classic Catering, LLC, is an Alabama domestic company which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to CC's Classic Catering, will be used to help with the food for District VI meeting on December 14, 2022, at Connie Hudson Mobile Regional Senior Community Center, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$3,142.50** to CC's Classic Catering, LLC, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

MINUTES OF DECEMBER 6, 2022

Nays: None

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

DETERMINE AN APPROPRIATION TO JUNIOR ACHIEVEMENT OF MOBILE, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1073-2022

Sponsored by: Mayor Stimpson

WHEREAS, Mayor Stimpson wishes to appropriate **\$1,000.00** to Junior Achievement of Mobile, Inc., from his discretionary funds; and

WHEREAS, Junior Achievement of Mobile, Inc., is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Junior Achievement of Mobile, Inc., will be used to support their 2022-2023 Junior Achievement of Mobile silver investor to teach student financial literacy and work readiness, which will serve a public purpose benefitting the City of Mobile and its citizens.

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

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

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

Nays: None

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

DETERMINE AN APPROPRIATION TO TRINITY GARDENS FALCONS ATHLETICS SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1085-2022

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate \$1,000.00 to Trinity Garden Falcons Athletics, from his discretionary funds; and

WHEREAS, Trinity Garden Falcons Athletics, is an Alabama non-profit corporation which provides a service to the community; and

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

MINUTES OF DECEMBER 6, 2022

WHEREAS, the Mobile City Council determines that this appropriation to Trinity Garden Falcons Athletics, will be used to help purchase team uniforms, bats, and baseballs, which will serve a public purpose benefitting the City of Mobile and its citizens.

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

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

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

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

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH SPIRE GULF, INC. FOR ADDITION OR REMOVAL OF GAS LIGHTS. The following resolution was held over until the regular meeting of December 13, 2022.

RESOLUTION: 01-1074-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an agreement, and any necessary amendments thereafter, between Spire Gulf Inc. A copy of said executed contract will be on file in the office of the City Clerk.

Name of Company: Spire Gulf Inc.

Project Name: Gas Light Services Agreement

Agreement: Agreement for Gas Light Services,
Addition or Removal of Gas Lights

AUTHORIZE PURCHASE ORDER TO DOGWOOD PRODUCTIONS, INC. FOR WEBSITE HOSTING, MAINTENANCE AND LIVESTREAMING SERVICES (JANUARY – SEPTEMBER 2023): \$37,125.00. The following resolution was held over until the regular meeting of December 13, 2022.

RESOLUTION: 08-1075-2022

Sponsored by: Mayor Stimpson

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

MINUTES OF DECEMBER 6, 2022

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>2117</u>	2023	(5000) INFORMATION TECHNOLOGY	WEBSITE HOSTING AND MAINTENANCE AND LIVESTEAM SERVICES, JAN-SEP 2023 (PROFESSIONAL SERVICE)	\$37,125.00	<u>(0470690 DOGWOOD PRODUCTIONS INC</u>

APPROVE PURCHASE ORDER TO D3, INC., D/B/A 9 TO 5 SEATING, FOR FURNITURE FOR LAFAYETTE ST. CITY RESOURCE CENTER; \$22,298.76. The following resolution was held over until the regular meeting of December 13, 2022.

RESOLUTION: 08-1076-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1736</u>	2023	(3500) NEIGHBORHOOD DEVELOPMENT	FURNITURE FOR LAFAYETTE ST CITY RESOURCE CENTER (AL STATE CONTRACT)	\$22,298.76	<u>(294654) D3 INC, DBA 9 TO 5 SEATING</u>

APPROVE PURCHASE ORDER TO ADELTE PORTS & MARITIME S.L.U. FOR PASSENGER BOARDING BRIDGE FOR CRUISE TERMINAL; \$4,890,000.00. The following resolution was held over until the regular meeting of December 13, 2022.

RESOLUTION: 08-1077-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>2544</u>	2023	(F6020) CRUISE TERMINAL	PASSENGER BOARDING BRIDGE FOR MOBILE AL CRUISE TERMINAL (RFP 5704)	\$4,890,000.00	<u>(294094) ADELTE PORTS & MARITIME S.L.U</u>

APPROVE PURCHASE ORDER TO INTTERRA FOR ONE-YEAR SUBSCRIPTION TO OPERATIONS SITUATIONAL AWARENESS SOFTWARE FOR MFRD; \$24,671.28. The following resolution was held over until the regular meeting of December 13, 2022.

RESOLUTION: 08-1078-2022

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Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1693</u>	2022	(1510) FIRE ADMINISTRATION	IMPLEMENTATION FEE AND ONE-YEAR SUBSCRIPTION TO INTTERRA OPERATIONS SITUATIONAL AWARENESS SOFTWARE FOR MFRD (GSA CONTRACT)	\$24,671.28	<u>(0000) INTTERRA</u>

APPROVE ITEM BASED BID FOR PRINTING AND MAILING OF REVENUE DEPARTMENT BUSINESS LICENSE FORMS. The following resolution was held over until the regular meeting of December 13, 2022.

RESOLUTION: 08-1079-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to accept and approve, and issue Purchase Orders against, the below proposed Bid Awards, to the designated vendors for the specified items at the unit prices indicated, for the time periods and renewal options as indicated below and attached herein, and, further, that the Purchasing Agent is authorized to issue said orders without further approval or other action by the City Council. All Bid Awards may be extended at the discretion of the Purchasing Agent for a total award period not to exceed three years.

Bid	Description	Number of Items	Bid Amount	Time/Renewal	Vendor(s)
<u>5741</u>	PRINTING & MAILING OF REVENUE DEPT BUSINESS LICENSE FORMS	3	See bid tab	One year, renewable for two additional one-year periods.	<u>(79615) Gwins Stationery and Engraving, Inc</u>

AUTHORIZE CONTRACT WITH DORSEY & DORSEY ENGINEERING, INC. FOR 2022 PAYGO RESURFACING; (D4-7); \$350,000.00. The following resolution was held over until the regular meeting of December 13, 2022.

RESOLUTION: 21-1080-2022

Sponsored by: Mayor Stimpson and Councilmembers Reynolds, Daves, Jones, and Gregory

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

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Name of Company: Dorsey & Dorsey Engineering, Inc.

Project Name: 2022 PAYGO Resurfacing Commission District 2
COM Project No. 2023-3005-05

Estimated Cost: \$350,000.00

AUTHORIZE CONTRACT WITH GEOTECHNICAL ENGINEERING TESTING, INC. FOR 2022 PAYGO RESURFACING; (D4-7); \$66,000.00. The following resolution was held over until the regular meeting of December 13, 2022.

RESOLUTION: 21-1081-2022

Sponsored by: Mayor Stimpson and Councilmembers Reynolds, Daves, Jones, and Gregory

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

Name of Company: Geotechnical Engineering Testing, Inc.

Project Name: 2022 PAYGO Resurfacing Commission District 2
COM Project No. 2023-3005-05

Estimated Cost: \$66,000.00

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BETHEL NON-EMERGENCY MEDICAL TRANSPORTATION, LLC TO OPERATE A NON-EMERGENCY MEDICAL TRANSPORT SERVICE. The following resolution was held over until the regular meeting of December 13, 2022.

RESOLUTION: 37-1082-2022

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Bethel Non-Emergency Medical Transportation, LLC, for a Certificate of Public Convenience and Necessity to operate a nonemergency medical transport service is hereby approved. A copy of said application is on file in the office of the City Clerk.

PROPOSE STUDY OF “ALTERATION OF CORPORATE LIMITS”. The following resolution was held over until the regular meeting of December 13, 2022.

RESOLUTION: 02-1086-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council for the City of Mobile, Alabama as follows:

1. FINDINGS
- A. Annexation increases the land area of a city according to the procedures set out in the Code of Alabama.
- B. State law authorizes four different methods by which cities may annex, or increase, the boundaries of its corporate limits:
- i. by local legislative act;

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- ii. by consent of persons owning at least 60 percent of the acreage of the platted or unplatted land to be annexed, Ala. Code §11-42-1 through §11-42-6;
- iii. by unanimous consent, as set out in Ala. Code §11-42-20 through §11-42-24; or,
- iv. by special election initiated by council resolution. Ala. Code § 11-42-40 through §11-42-88.

C. There are two different methods by which municipalities may de-annex, or reduce, the boundaries of its corporate limits.

- i. by local legislative act; or
- ii. by resolution of the council as set out in Ala. Code §11-42-200 through §11-42-213.

D. The decision to alter the corporate limits will necessarily involve weighing of benefits and burdens. A key consideration is whether the City will be able to function, i.e., to sustain a level of services comparable to existing services. To do so, the City projected revenues should meet or exceed projected expenses. It is therefore prudent that the council decision is informed, transparent, and fact-based.

2. PROCEDURE

A. Feasibility Study required. Annexations require a feasibility study which shall include the following minimum information:

- i. A map of the area being considered for annexation ("study area") that illustrates the existing and proposed boundaries of the corporate limits and police jurisdiction.
- ii. A parcel map illustrating the current boundaries of properties in the study area and showing the contiguous parcels within the corporate limits. The following information shall also be provided:
 - a. Current land use for each parcel as provided in the tax assessment records of the Mobile County Revenue Commissioner (e.g. residential, business, unimproved, parkland or agricultural).
 - b. Areas serviced by MAWSS
 - c. FEMA Flood Maps for the study area
- iii. An inventory of services that are currently being provided to the study area and the identity of the service provider, including police, fire and 911 emergency response.
- iv. Identification of services the City of Mobile will provide and a projected timetable of the provision of such services.
- v. Miles of public roads in study area

Current revenue generated, including taxes and business licenses

B. COST BENEFIT ANALYSIS

A cost benefit analysis shall be provided showing whether the City has capability to provide services, and the estimated costs of assuming the service over the next ten years, including:

- i. The projected revenues, taxes, and fees.
- ii. The anticipated expenses including expected new employees and equipment for City police and fire, building permits, and stormwater management.

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- iii. The cost of street maintenance, trash and solid waste removal.
- iv. The tax consequences to the property owners in the area to be annexed, as well as the property owners within the city.
- v. Where assumptions are made, the source data supporting such assumptions shall be provided.

3. OTHER INFORMATION.

Additional information shall be provided showing whether the proposed annexation:

- i. will eliminate or avoid creating islands and peninsulas of incorporated territory;
- ii. will consolidate overlapping functions of government;
- iii. will encourage equitable distribution of community resources and obligations;
- iv. will promote efficient delivery of services;
- v. will have a negative impact due to the condition of existing roads and habitable structures that are below city standards.

4. DEMOGRAPHICS

Information on projected demographic changes for the city in its entirety shall be provided.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND SECTION 64.3.1, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, AND AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022 (SCHEDULED FOR JANUARY 3, 2023). The following ordinance was introduced by Councilmember Daves.

ORDINANCE: 41-1083-2022

Sponsored by: Councilmembers Carroll and Jones

BE IT RESOLVED by the City Council of the City of Mobile, Alabama, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation in Mobile County the attached NOTICE OF PUBLIC HEARING AND CONSIDERATION OF ORDINANCE TO AMEND SECTION 64.3.1, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, AND AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022, in the time and manner as set forth in said notice.

NOTICE OF PUBLIC HEARING AND CONSIDERATION OF ORDINANCE TO AMEND SECTION 64.3.1, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE. 1991, AND AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022.

NOTICE is hereby given that at 10:30 a.m. on January 3, 2023, in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama 36644, and pursuant to Code of Alabama § 11-52-77, the City Council for the City of Mobile will hold a public hearing on, take public comment on, and consider an ordinance to AMEND SECTION 64.3.1, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, and AMEND APPENDIX A,

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DOWNTOWN DEVELOPMENT DISTRICT. OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022. All persons may be heard in opposition to or in favor of the said ordinance at the said time and place, Government Plaza, 205 Government Street, Mobile, Alabama 36644, which serves as the City Hall for the City of Mobile.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City of Mobile, City Clerk, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, Mobile Government Plaza, Ninth Floor, 205 Government Street, Mobile. Alabama 36644. Written comments must be received by noon on **Thursday, December 29, 2022**.

The proposed Downtown Development District (DDD) amendments will modify the Regulating Plan map, amend certain development standards for the Civic Center site, add development standards for two existing sub-districts and correct text errors.

The Civic Center site is bounded to the north by Civic Center Drive, to the east by South Claiborne Street, to the south by Canal Street, and to the west by South Lawrence Street.

The proposed amendments will guide the redevelopment of the Civic Center site and are intended to revitalize the existing entertainment venue and add office, retail, lodging, residential and related supporting facilities as allowable uses on the site.

The amendment of the Regulating Plan map will establish T-3 and T-5.2 subdistricts on the Civic Center site. Modifications to the development standards for these sub-districts specific to the Civic Center site are proposed. Changes to the allowed uses for these sub-districts specific to the Civic Center site are also proposed.

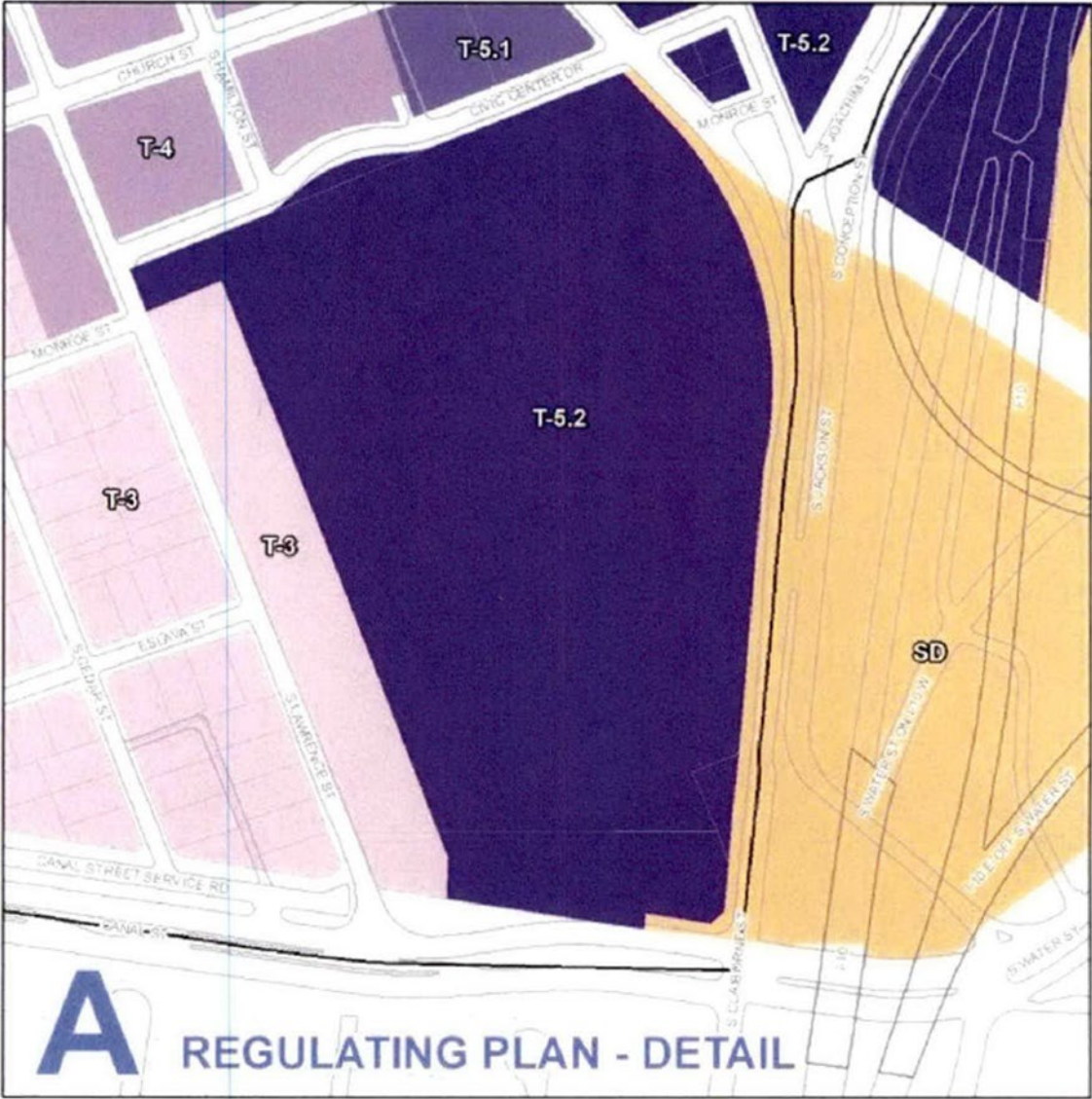
Additional proposed amendments will further define existing Municipal and Open sub-districts, establishing use and development criteria.

Amendments are proposed to the following Sub-sections of the Downtown Development District Code and the associated tables:

- Establishment of sub-districts.
- Property standards.
- Property Use restrictions.
- Parking standards.
- Building and parking deck height standards.
- Building materials standards.
- Frontage standards.
- Signage standards.
- Definitions.

The proposed DDD amendments can be viewed on the City of Mobile's website at <https://www.cityofmobile.org/city-updates/>. Amendments are also proposed to the Regulating Plan maps, published herewith.

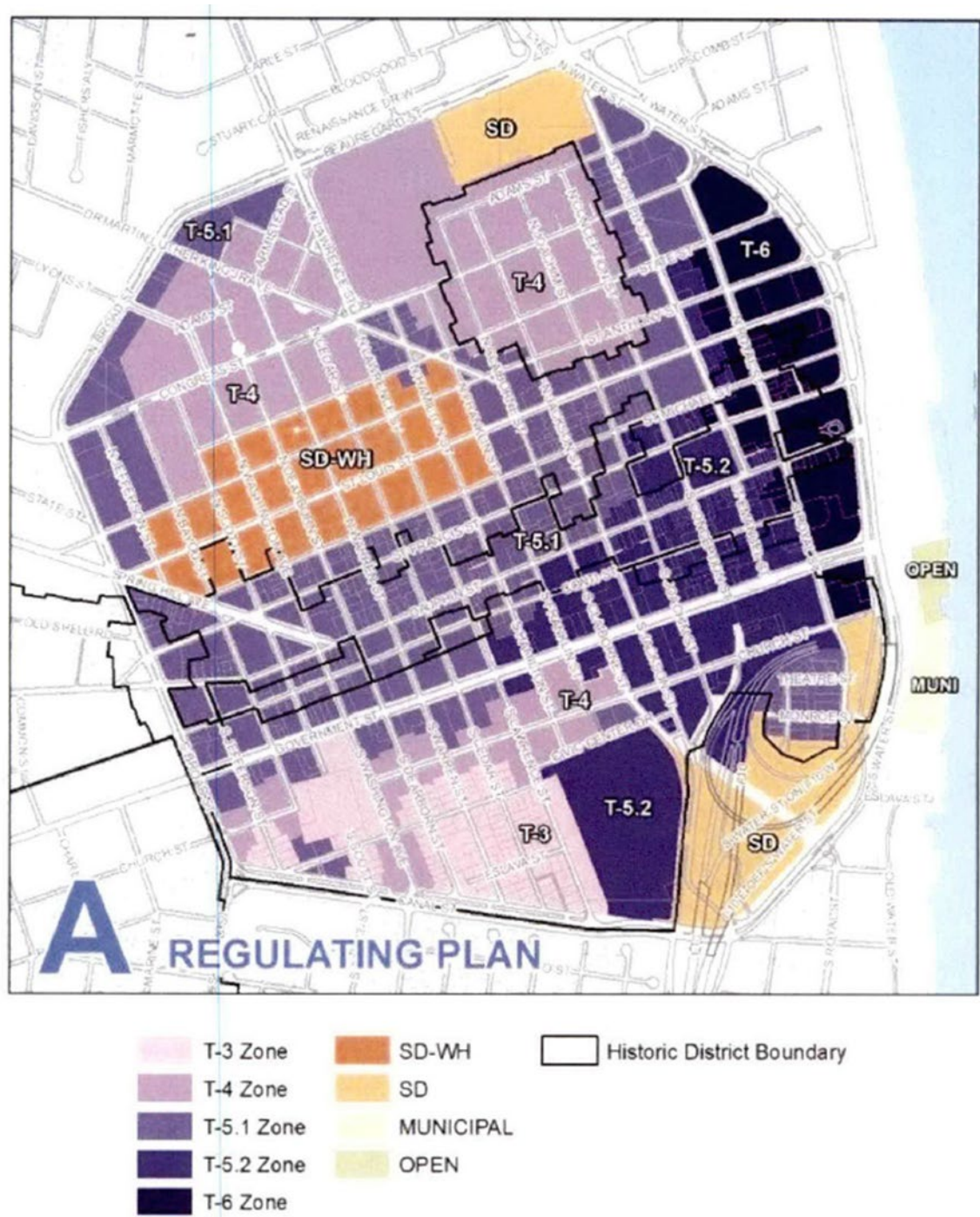
Copies of the proposed DDD amendments and hard copies of the maps are available for public inspection in the Office of the Mobile City Clerk on the 9th floor of Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36602, during normal business hours.



- | | | |
|------------|-----------|----------------------------|
| T-3 Zone | SD-VH | Historic District Boundary |
| T-4 Zone | SD | |
| T-5.1 Zone | MUNICIPAL | |
| T-5.2 Zone | OPEN | |
| T-6 Zone | | |



 A Streets
 B Streets



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

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

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as January 3, 2023.

CALL FOR PUBLIC HEARING PROPOSING THE CREATION OF A TAX INCREMENT FINANCE (TIF) DISTRICT IN THE CITY OF MOBILE, AUTHORIZING THE PREPARATION OF A PROJECT PLAN, AUTHORIZING THE PRESIDENT OF THE CITY COUNCIL TO PERFORM CERTAIN ACTIONS REQUIRED BY ALABAMA LAW, AND DIRECTING THE PUBLICATION OF THIS RESOLUTION AS REQUIRED BY ALABAMA LAW (SCHEDULED FOR JANUARY 3, 2023). The following ordinance was introduced by Councilmember Daves.

ORDINANCE: 41-1084-2022

Sponsored by: Mayor Stimpson and Councilmember Small

A RESOLUTION CALLING FOR A PUBLIC HEARING PROPOSING THE CREATION OF A TAX INCREMENT FINANCING DISTRICT IN THE CITY OF MOBILE, AUTHORIZING

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THE PREPARATION OF A PROJECT PLAN, AUTHORIZING THE PRESIDENT OF THE CITY COUNCIL TO PERFORM CERTAIN ACTIONS REQUIRED BY ALABAMA LAW, AND DIRECTING THE PUBLICATION OF THIS RESOLUTION AS REQUIRED BY ALABAMA LAW.

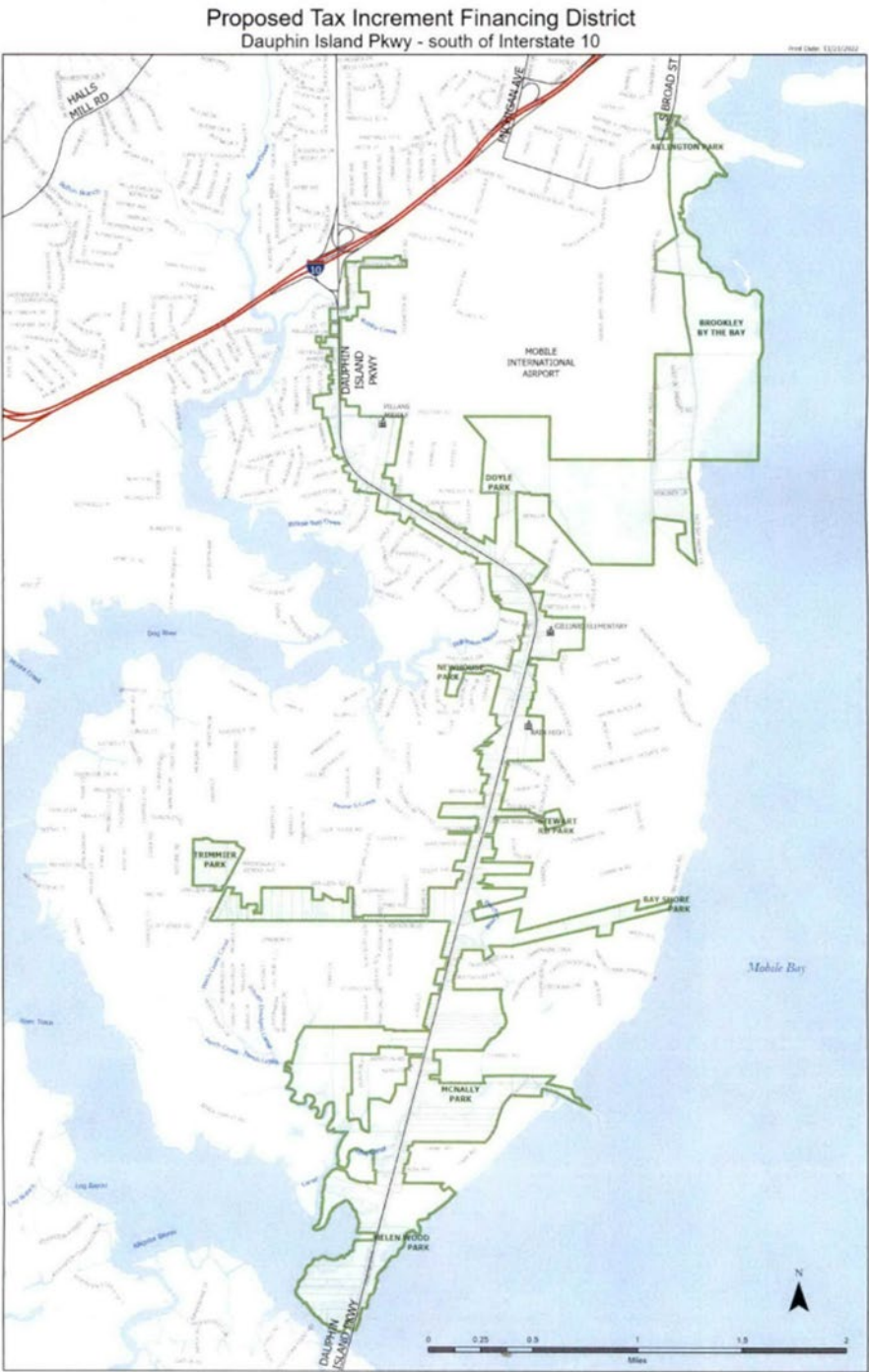
WHEREAS, the City of Mobile, Alabama (the "City") proposes the creation of a tax increment financing district ("TIF District"), tentatively titled Tax Increment Financing District 2 (hereinafter "TIF D2"), within the city limits of the City pursuant to Ala. Code §§ 11-99-1 et seq. (the "Act"); and

WHEREAS, pursuant to the Act, the City Council of the City desires to initiate certain procedures required by the Act and to authorize certain actions to be taken in furtherance thereof.

NOW, THEREFORE, BE it resolved by the CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, AS FOLLOWS:

1. The City Council proposes the creation of TIF D2, pursuant to the Act. The proposed TIF District includes certain parcels of real property as depicted on **Exhibit A** hereto and incorporated herein by reference.
2. The Mayor of the City is hereby authorized to direct City staff to prepare a Project Plan for the development of TIF D2.
3. The President of the City Council (or in his absence, the president pro tempore) is hereby authorized and directed to make written or other submissions required and give any notices or notifications required by the Act, with respect to consideration of TIF D2, on behalf of the City Council.
4. The City Council shall meet at 10:30 a.m. on the 3rd day of January, 2023, in the Council Chambers of the City of Mobile, Alabama, located at 205 Government Street, Mobile, Alabama, for the purpose of holding a public hearing, pursuant to Ala. Code §§ 11-99-1 et seq., at which date, time and place all interested parties will be afforded a reasonable opportunity to express their views on the concept of tax increment financing, on the proposed creation of a tax increment district and its proposed boundaries, and its benefits to the City.
5. This Resolution shall be published at length in the Lagniappe on the 21st day of December 2022, and on the 28th day of December 2022, both of which publications shall be within the fifteen (15) day period immediately preceding the date of the public hearing, and shall constitute notice of the aforementioned public hearing.
6. Any prior actions taken by any officers of the City in connection with the proposed TIF District are hereby ratified and confirmed.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA this the 6th day of December 2022.



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

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

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as January 3, 2023.

ANNOUNCEMENTS

City Clerk, Lisa C. Lambert, wished Councilmember Carroll a happy birthday.

Councilmember Reynolds reported that the Christmas parade in Tillman’s Corner last week was a great success.

Councilmember Penn congratulated the UMS Wright Preparatory School girl’s swim and dive team on winning the 2022 Alabama High School State Championship.

Councilmember Penn announced that this Saturday, December 10, 2022, there will be a grocery giveaway at Right Way Christian Center at 10:00 a.m.

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Councilmember Jones announced the District 6 Christmas luncheon will be held on December 14, 2022, from 11:00 a.m. to 1:00 p.m. at the Connie Hudson Senior Center.

Councilmember Gregory stated that the District 7 annual Christmas party at the Mobile Museum of Art was a great success and thanked everyone involved.

Councilmember Gregory stated that she will be sponsoring a ham giveaway along with Smith Memorial AME Church for on December 17, 2022, from 8:00 a.m. – 11:00 a.m.

Councilmember Small stated that the District 3 holiday meeting will be on December 13, 2022, at Maryvale Elementary School, at 6:00 p.m.

Councilmember Small shared that the “Parade of Threes” will be on Saturday, December 17, 2022, at 2:00 p.m.

Councilmember Small reminded citizens that there will be a committee meeting today at 1:00 p.m.

Mayor Stimpson thanked Spire Energy for helping to add and remove old gas lights throughout the city over the past few years.

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

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:53 p.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK