

MUNICIPAL BUILDING, MOBILE, ALABAMA, NOVEMBER 18, 2025

The Council of the City of Mobile, Alabama, met in the City Council’s Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday November 18, 2025, at 9:00 a.m.

Councilmembers:

Present: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Absent: Gregory

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

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, NOVEMBER 18, 2025

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Tuesday, November 18, 2025, at 10:30 a.m., for the regular meeting.

The meeting was called to order by the City Clerk.

Patricia Evans, Public Safety Chaplain, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Small
Vice-Chairman:
Councilmembers: Penn, Ingram, Reynolds, Fleming, and Woods
Absent: Gregory

STATEMENT OF RULES BY PRESIDING OFFICER

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

APPROVAL OF MINUTES

The minutes from the meetings of November 12, 2025, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

Mayor Cheriogotis thanked the Council for passing Resolutions 03-1450 and 03-1451.

Mayor Cheriogotis recognized D’Ambro Champman, Creative Content Manager, for his “You Still Have a Choice” short film aimed at preventing youth gun violence.

Mayor Cheriogotis announced the annual “Lighting of the Christmas Tree” will be held on Friday, November 21, 2025, at Mardi Gras Park at 5:30 p.m.

The following employees were presented as Employee of the Month:

- Xavier Loper – October 2025 Officer of the Month
- Robert M. Stewart – October 2025 Firefighter of the Month

ADOPTION OF THE AGENDA

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

APPEALS

Request of Gary Constantine for a waiver of the Noise Ordinance at 254 St. Anthony Street on February 15, 2026, from 11:00 a.m. – 6:30 p.m. (District 2).

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Gregory

Nays: None

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

Request of Gary Constantine for a waiver of the Noise Ordinance at 254 St. Anthony Street on February 17, 2026, from 3:00 p.m. – 10:00 p.m. (District 2).

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Gregory

Nays: None

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

Request of Collin Dumas for a waiver of the Noise Ordinance at Langan Municipal Park on November 22, 2025, from 12:00 p.m. – 5:00 p.m. (District 7).

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Gregory

Nays: None

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

PUBLIC HEARINGS

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1255 BRUSSELLS 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 1255 Brussels 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 655 HOLCOMBE 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 655 Holcombe 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 1314 PECAN 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 1314 Pecan 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 FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 505 CHIN STREET; \$1,500.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 505 Chin Street and asked if there was anyone present to speak for or against this matter.

Sandra Mosley, property owner, offered comments about the property.

Reggie Hill, Mobile, Al, gave comments regarding the property.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 559 HICKORY STREET; \$2,300.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 559 Hickory Street and asked if there was anyone present to speak for or against this matter.

Valerie, asked questions regarding the property.

Reggie Hill, Mobile, Al, offered comments about the property.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 553 LIVE OAK STREET; \$3,675.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 553 Live Oak Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 753 DR. THOMAS AVENUE; \$2,200.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 753 Dr. Thomas Avenue and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 714 DR. THOMAS AVENUE S.; \$2,195.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 714 Dr. Thomas Avenue S. and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 757 DR. THOMAS AVENUE S.; \$2,195.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 757 Dr. Thomas Avenue S. and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO CONSIDER VACATION OF ALL RIGHTS-OF-WAY LOCATED WITHIN LOT 1 OF MAA-ACDC SUBDIVISION (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to consider vacation of all rights-of-way located within lot 1 of MAA-ACDC subdivision 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 A VACATION FEE AS A CONDITION OF THE VACATION OF RIGHTS-OF-WAY LOCATED WITHIN LOT 1 OF MAA-ACDC SUBDIVISION (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to consider a vacation fee as a condition of the vacation of rights-of-way located within lot 1 of MAA-ACDC subdivision and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

NON-AGENDA ITEMS:

Reggie Hill, P.O. Box 395, Mobile, AL, offered recommendations for blight related matters, findings from the Committee of the Whole meeting and inquired about the precedent of agenda item sponsorships.

ORDINANCES HELD OVER

AMEND CHAPTER 11, ARTICLE III, SECTION 11 OF THE CITY CODE TO INCLUDE SUBSECTION TITLED “ALABAMA CONSTRUCTION TRADE ACADEMY FUND FEES”. The following ordinance, which was introduced and read at the regular meeting of October 21, 2025, and held over until the regular meetings of October 28, 2025, November 4, 2025, and November 18, 2025, was called up by the Presiding Officer.

ORDINANCE: 11-056-2025

Sponsored by: Councilmember Reynolds

AN ORDINANCE TO AMEND CHAPTER 11, ARTICLE II, SECTION 11, OF THE CITY OF MOBILE MUNICIPAL CODE TO INCLUDE A SUBSECTION ENTITLED “ALABAMA CONSTRUCTION TRADE ACADEMY FUND FEES”.

WHEREAS, the City of Mobile recognizes the shortage of skilled trade workers in the residential construction industry; and

WHEREAS, Alabama Act 2025-398 affords municipalities with an opportunity to provide funding derived from specific building permit fees and specific other permit fees to the Alabama Construction Trade Academy Fund established in the State Treasury; and

WHEREAS, Act 2025-398 states, in part, that the Alabama Construction Trade Academy board may award grants to programs recognized by the Alabama Home Builders Foundation as a part of the Alabama Homebuilding Academy Network; and

WHEREAS, the Alabama Home Builders Foundation has submitted a letter addressed to Mobile city council members asserting that every dollar collected within the Mobile jurisdiction will be for the sole use of the South Alabama Homebuilding Academy (SAHA); and

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA,

that Chapter 11, Article II, Section 11, of the City of Mobile Municipal Code is hereby amended by the addition of a Subsection entitled “Alabama Construction Trade Academy Fund Fees” and this Subsection shall read as follows:

Pursuant to Alabama Act 2025-398 there is hereby a fee of twenty dollars (\$20.00) levied on every building permit, mechanical permit, plumbing permit, or any combination of these permits, and any other permit required for the construction or remodeling of a new or existing residence or structure as defined in Section 34-14A-2, Code of Alabama 1975.

- (1) Section 34-14A-2 defines a residence as a single unit providing complete independent residential living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- (2) Section 34-14A-2 defines a structure as a residence on a single lot, including a site-built home, a condominium, a duplex or multi-unit residential building consisting of not more than four residential units, or any improvement thereto.

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- (3) All funds collected by the City pursuant to this subsection shall be remitted to the State Treasury's Alabama Construction Trade Academy Fund in the manner and frequency preferred by the State.
- (4) Unless otherwise amended, this Subsection and the fees levied pursuant to it shall sunset, completely, effective September 30, 2030.

The ordinance was read by the City Clerk, whereupon Councilmember Reynolds moved to hold the ordinance over for two weeks, which was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance held over for two weeks until the regular meeting of December 2, 2025.

ADOPT CHAPTER 52 REAL PROPERTY MAINTENANCE AND ENFORCEMENT
ARTICLE VIII, "VACANT STRUCTURE REGISTRY FOR HENRY AARON LOOP".

The following ordinance which was introduced and read at the regular meeting of September 9, 2025, and was held over until the regular meetings of September 16, 2025, September 24, 2025, October 14, 2025, October 21, 2025, October 28, 2025, November 12, 2025, and November 18, 2025 was called up by the Presiding Officer.

ORDINANCE: 52-046-2025

Sponsored by: Mayor Stimpson

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

VACANT STRUCTURE REGISTRY

Sec. 52-200. Adoption.

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

Sec. 52-201. Purpose.

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

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

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

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

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Sec. 52-202. Definitions.

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

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

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

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

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

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

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

(7) Occupy/occupied/occupies: Any building or structure shall be deemed to be "occupied" if one or more persons conducts a lawful business or lawfully resides in the building as the licensed business occupant, or as the legal or equitable owner/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same.

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

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

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

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

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

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

(B) Has had substantially all lawful business operations cease for at least six (6) months.

For purposes of this definition, if a discrete floor or other separately occupiable portion of a building has a current Certificate of Occupancy (CO) and is actively occupied, that occupied portion is not a Vacant Structure; however, any vacant portions of the building must be protected by fire-alarm systems that comply with Section 52-209(a)(5).

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

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

(b) Registration by Code Official. When the Code Official has reason to believe a structure is a Vacant Structure that the Owner has failed to register, a notice will be posted on the subject structure stating that the Code Official has reason to believe that the structure is a Vacant Structure and directing the Owner to either (i) register the structure in accordance with the provisions of this Article or (ii) provide the Code Official evidence demonstrating that the structure is not a Vacant Structure. In addition to posting a notice on the suspected Vacant Structure, the Code Official shall, by certified mail; if undeliverable, by first-class mail, send a copy of the same notice to the Owner(s) of the property listed in the records of the Revenue Commissioner of Mobile County, or other records readily available to the City. If, 30 days after posting and mailing, the Owner has neither registered the property in the Vacant Structure Registry nor demonstrated to the satisfaction of the Code Official that the property is not a Vacant Structure, the Code Official shall add the structure to the Vacant Structure Registry using the information of record. In addition to all other fees, Owners of properties registered by the Code Official under this section shall owe a failure to register fee under Section 52-204 (d) (4).

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

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

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

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

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

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

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

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

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

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

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

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

(3) The square footage for each Vacant Structure;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) For the first year, \$1,000 or \$0.05 per square foot.

(ii) For the second year, \$2,000 or \$0.10 per square foot.

(iii) For the third year, \$3,000 or \$0.15 per square foot.

(iv) For each subsequent year, \$4,000 or \$0.20 per square foot.

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

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

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

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

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

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

(3) The Owners of each Vacant Structure;

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

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

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

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

Sec. 52-205. Right of appeal.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 52-211. Severability.

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

Sec. 52-212. Effective Date

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

Sec. 52-213. Review.

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

The ordinance was read by the City Clerk, whereupon Councilmember Small moved to adopt the ordinance, which was seconded by Councilmember Penn

Councilmember Reynolds offered the following amendment which was seconded by Councilmember Woods:

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

VACANT STRUCTURE REGISTRY

Sec. 52-200. Adoption.

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

Sec. 52-201. Purpose.

- (a) The city has determined that uninspected and unmonitored vacant commercial structures in the Henry Aaron Loop (i) present a fire hazard; (ii) are often utilized by vagrants and transients (including drug abusers and traffickers) as dangerous and unsafe temporary shelters; (iii) detract from private and/or public efforts to rehabilitate or maintain surrounding buildings; and (iv) require additional regulation and services to protect the health, safety and welfare of the public.
- (b) Under this Article, vacant commercial structures in the Henry Aaron Loop will be registered with the city, owners will pay a vacant structure registration fee as set forth herein, and the owners will otherwise conform to the requirements of this vacant structure code.
- (c) It is the intent of this Article that, through a registration, inspection, and monitoring process, and other improved public safety efforts, vacant commercial structures in the Henry Aaron Loop will be kept weathertight and secure from trespassers, will provide safe entry to police officers and firefighters in times of emergency, will not impede private and/or public efforts to rehabilitate or maintain surrounding properties, and will not otherwise present a public nuisance.

Sec. 52-202. Definitions.

- (a) For purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them as follows:
 - (1) *Actively marketed*: A property is listed with a realtor and placed on the MLS or other realty website, or is being promoted through consistent, proactive, and direct efforts to attract and engage potential customers or buyers, through methods like advertising, direct outreach, and digital platforms such as realty websites. The term implies that the marketer is not just passively waiting for customers but is actively taking steps to connect with them, modify their approach, and create a strong, visible presence in the market.
 - (2) *Boarded*: A Vacant Structure shall be deemed to be "boarded" if in place of one or more exterior doors, other than a storm door, or of one or more windows, there is a sheet or sheets of plywood or similar material covering the space for such door or window, in compliance with Mobile City Code, Section 52- 1, Property Maintenance Code Boarding Methods.
 - (3) *Code official*: The city's code official, as defined in Section 52-22 of this Chapter, or his or her designee.
 - (4) *Commercial structure*: Any structure used or intended to be used to generate revenue. Commercial structures include structures leased to tenants who occupy the property for non-commercial uses such as residences or offices of non-profit organizations.
 - (5) *Director*: The City of Mobile official designated by the Mayor as the person

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to whom the Code Official reports, either directly or through the chain of command.

- (6) *Henry Aaron Loop*: That geographic area within downtown Mobile bounded by Beauregard Street on the north, Water Street on the east, Canal Street on the south, and Broad Street on the west.
- (7) *Occupy/occupied/occupies*: Any building or structure shall be deemed to be "occupied" if one or more persons conducts a lawful business or lawfully resides in the building as the licensed business occupant, or as the legal or equitable owner/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same.
- (8) *Open*: A Vacant Structure shall be deemed to be "open" if any one or more exterior doors other than a storm door is broken, open, and/or closed but without a properly functioning lock to secure it; if one or more windows is broken or not capable of being locked and secured from intrusion; if any other opening in the structure allows entry into the structure by an unauthorized person; or any combination of the same.
- (9) *Owner*: Any person, agent, firm or corporation having legal title to the real property, including any mortgage holder, bank, lien holder, company, institution, individual or other entity listed in the records of the office of the judge of probate of the county, and/or the estate of any deceased owner(s), and/or the last assessed owner in the property tax records of the Mobile County Revenue Commissioner with the legal right to enter the property.
- (10) *Plan for Maintenance*: A formal strategy and detailed document that outlines the specific tasks, required materials, tools, and procedures needed to keep the building maintained according to the city building code.
- (11) *Square footage*: The gross interior floor area of the structure measured to the exterior face of perimeter walls, including basements and mezzanines, but excluding structured parking and unenclosed exterior areas.
- (12) *Vacant Structure Registry*: The structure registry created pursuant to this Article, specifically by section 52-204(a).
- (13) *Vacant Structure*: A commercial structure on a parcel of real property that either:
 - (A) Has, for a continuous period of at least six (6) months, lacked regular, lawful occupancy by persons entitled to be on the premises, excluding **intermittent, token, or incidental presence not amounting to bona fide use**; or
 - (B) Has had substantially all lawful business operations cease for at least six (6) months.

For purposes of this definition, if a **discrete** floor or other **separately occupiable** portion of a building has a current **Certificate of Occupancy (CO)** and is actively occupied, that occupied portion is not a Vacant Structure; however, any **vacant** portions of the building must be protected by fire-alarm systems that comply with Section 52-209(a)(5).

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

- (a) *Applicability*. Except as provided in subsection (c) below, this Article is applicable to all Vacant Structures and their Owners in the Henry Aaron Loop in the City of Mobile. The registration of a Vacant Structure and the payment of registration fees do not exonerate the Owner, agent, or responsible party from compliance with any other building code or zoning requirement:

- (b) *Registration by Code Official*. When the Code Official has reason to believe

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a structure is a Vacant Structure, a notice will be posted on the subject structure stating that the Code Official has reason to believe that the structure is a Vacant Structure and directing the Owner to either (i) register the structure in accordance with the provisions of this Article or (ii) provide the Code Official evidence demonstrating that the structure is not a Vacant Structure. In addition to posting a notice on the suspected Vacant Structure, the Code Official shall, by certified mail; if undeliverable, by first-class mail; send a copy of the same notice to the Owner(s) of the property listed in the records of the Revenue Commissioner of Mobile County, or other records readily available to the City. If, 30 days after posting and mailing, the Owner has neither registered the property in the Vacant Structure Registry nor demonstrated to the Code Official that the property is not a Vacant Structure, the Code Official shall add the structure to the Vacant Structure Registry using the information of record. In addition to all other fees, Owners of properties registered by the Code Official under this section shall owe a failure to register fee under Section 52-204 (d) (4).

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

- (1) Any building owned by the city, county, state, or federal government.
- (2) Buildings under construction or property that is being actively renovated or rehabilitated; provided, this exemption shall be available for no more than 18 months, unless the Owner provides a work plan to accomplish the renovation or rehabilitation or other written justification the Code Official to extend the exemption.
- (3) Actively Marketed Vacant Structures; provided, this exemption shall be available for no more than twelve (12) months, unless the Owner provides written justification to the Code Official to extend the exemption.
- (4) Vacant Structures that are vacant due to fire damage or damage caused by an extreme weather event; provided, this exemption shall be available for no more than six (6) months following the fire or extreme weather event, unless the City Council by resolution extends the exemption period due to a major disaster affecting numerous properties in the Henry Aaron Loop.
- (5) Actively Marketed commercial structures in the Henry Aaron Loop purchased through an arm's length transaction for up to twelve (12) months following the date on which the purchase closes.
- (6) Mixed-Occupancy Buildings. A building containing one or more Vacant Areas is not required to register under this Article if: (i) at least one discrete area of the building holds a current Certificate of Occupancy (CO) and is actively occupied; and (ii) all Vacant Areas comply with §52-209(a)(5), provided that the occupied area constitutes at least twenty percent (20%) of the building's gross leasable floor area or ten thousand (10,000) square feet, whichever is less.

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

- (a) *Registry created.* The Vacant Structure Registry is hereby created. The Code Official is hereby authorized to create, compile, monitor and enforce the Vacant Structure Registry. The city finance department is authorized to aid and assist the Code Official with the administration and collection of fees and other matters related to this Article.
- (b) *Registration information.* Owners of property(ies) on which one or more Vacant Structures are located, upon notification by the Code official is authorized, within thirty (30) days of notification register the same with the city on a form supplied by the city. The registration form will require the following information:
 - (1) The street address of the Vacant Structure(s);

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- (2) The type of Vacant Structure(s);
 - (3) The square footage for each Vacant Structure;
 - (4) The name, residence address, business address, email address, telephone number, and mobile telephone number of all Owners of the Vacant Structure;
 - (5) The name, address, e-mail address, telephone number, and mobile telephone number, of all persons authorized to make or order repairs or services for the Vacant Structure;
 - (6) If an Owner resides or is domiciled outside the city, the name, address, e-mail address, mobile number and telephone number of a person located within the city who is designated to accept legal notices or service of process on matters concerning the Vacant Structure;
 - (7) If the Owner is a corporation or a limited liability company, the name(s), address(es), email address(es) and telephone number(s) of an officer or agent of the corporation or limited liability company designated to accept all legal notices of fees due or services of process with respect to the Vacant Structure;
 - (8) If the Owner is an estate, the name, address, business address, email address and telephone number of the executor of the estate;
 - (9) If the Owner is a trust, the name, address, business address, email address and telephone number of the trustee(s) designated to accept all legal notices of fees due or services of process with respect to the Vacant Structure;
 - (10) If the Owner is a partnership, the names, addresses, business address, email addresses and telephone number of all partners with an interest of ten percent or greater;
 - (11) If the Owner is any other form of unincorporated association, the names address, business address, email address and telephone numbers of all principals with an interest of ten percent or greater;
 - (12) Proof of a liability insurance policy in force for protection against damage to persons and property, so as to ensure that the purposes of this Article are met;
 - (13) Proof of a fire protection system(s) maintained and monitored in accordance with the International Fire Code 2021 Edition Section 901.6, as currently enacted or as hereafter amended.
 - (14) Proof of a plumbing system that either complies with city plumbing and building codes or is properly closed off and secured from infestation by rodents and insects.
 - (15) The Owner's plan for maintenance and repair of the Vacant Structure(s), including the time within which the Owner anticipates completion of all repairs necessary to bring the Vacant Structure(s) into compliance with the city building code, outline of specific tasks, scope of work and required materials needed to accomplish the repairs.
- (c) *Amending information.* If the registration information collected in accordance with this section changes or becomes inaccurate during any calendar year, it is the responsibility of the Owner, responsible party or agent for the same to contact the Code Official within 30 days of the occurrence of such change and advise the city of those changes in writing.
- (d) *Fees.* There shall be a fee for each Vacant Structure subject to registration on the Vacant Structure Registry. The fees shall be remitted to the Code Official for deposit into a dedicated fund as defined in paragraph (e) below, as follows:
- (1) For commercial structures used as residences with one to three units;
 - (i) For the first year, \$250.
 - (ii) For the second year, \$500.

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- (iii) For the third year, \$750.
 - (iv) For each subsequent year, \$1,000.
- (2) For commercial structures used as residences with four or greater units and mixed commercial use and residential use of two or greater units:
 - (i) For the first year, \$500.
 - (ii) For the second year, \$1,000.
 - (iii) For the third year, \$1,500.
 - (iv) For each subsequent year, \$2,000.
- (3) For commercial structures without any residential units, the greater of:
 - (i) For the first year, \$500 or \$0.05 per square foot.
 - (ii) For the second year, \$1,000 or \$0.10 per square foot.
 - (iii) For the third year, \$1,500 or \$0.15 per square foot.
 - (iv) For each subsequent year, \$2,000 or \$0.20 per square foot.
- (4) In addition to the above registration fees, for Vacant Structures that are registered by the Code Official under Section 52-203 (b), a failure to register fee of \$500.00.
- (5) The Vacant Structure shall be registered prior to the issuance of any building permits for that structure, except for a demolition permit. No demolition permit shall be issued except in accordance with Section 6 of the Downtown Development Code (Appendix A, Chapter 64, Mobile City Code); and, in the case of any structure located within a designated historic district, only upon approval by issuance of a Certificate of Appropriateness, as required by Chapter 44.
- (e) *Dedicated account.* All fees collected pursuant to this Article shall be deposited into a separate fund known as the Vacant Structures Registry Fund and shall be appropriated to the city's Tax Increment Finance District 1 Fund, and earmarked solely to repair, rehabilitate or stabilize Vacant Structures, to administer this Article, in an effort to support economic development, property rehabilitation and blight reduction, blight being defined as in Sec. 52-152(c), in the Henry Aaron Loop. All amounts remaining in the Vacant Structures Registry Fund at the end of the fiscal year shall not lapse but shall retain their dedication to the purposes of the Fund.
- (f) *Publication.* The city may, from time to time, publish or disclose certain information contained in the Vacant Structure Registry, including, but not limited to:
 - (1) General demographic information about Vacant Structures registered on the Vacant Structure-Registry;
 - (2) The address of Vacant Structures on the Vacant Structure Registry;
 - (3) The Owners of each Vacant Structure;
 - (4) The amount of time any Vacant Structure has been on the Vacant Structure Registry; and
 - (5) The amount of any delinquent fees due under this Article, or otherwise due to the city for any Vacant Structure.

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

- (g) *Changes in ownership.* A change in ownership of a Vacant Structure shall not remove the Vacant Structure from the Vacant Properties Registry or from complying with the requirements of this Article, nor shall it restart the period of exemption in subdivision (3), or (5), subsection (c) of section 52-203 of this Code. Fees arising under this article shall continue to accrue at the applicable rate until the structure either no longer constitutes a Vacant Structure or

qualifies for an exemption, all transfers of ownership notwithstanding. All fees arising under this article shall run with the property and failure to pay such fees may result in the city filing a lien that attaches to the property. Such liens shall be municipal code liens enforceable in rem pursuant to Ala. Code §§ 11-40-62 through 11-40-69.

Sec. 52-205. Right of appeal.

- (a) *Request for reconsideration.* The Owner shall have the right to request reconsideration by the Director of (i) the imposition of the registration fees imposed by this Article and/or (ii) the designation of a building as a Vacant Structure, by filing a request for reconsideration in writing to the Director no later than 15 calendar days after the date of the notice to the Owner that a property has been placed on the Vacant Structure Registry pursuant to section 52-203(b) or that fees are due under this Article. On the request for reconsideration, the Owner shall bear the burden of providing evidence that the building is occupied, such evidence can include leases, sub-leases, rental agreements, purchase agreements, affidavits of occupancy or other documents that provide evidence the building is not a Vacant Structure, or that the building is a Vacant Structure but exempt from registration.
- (b) *Director's determination.* Within 30 days, or as soon thereafter as is practicable, after the Director receives a request for reconsideration pursuant to section 52-205(a) above, the Director is authorized to contact the Owner(s) and afford them the opportunity to meet in person or virtually to present their request for reconsideration. Within 30 days, or as soon thereafter as is practicable after consideration of all information provided by the Owner, the Director shall grant or deny the request in writing and provide the Owner with a copy of the decision.
- (c) *Appeal of Director's decision.* If the Owner receives an unfavorable decision from the Director, the Owner may appeal that decision to the City Council for review at a public hearing, which may be conducted during a regularly scheduled City Council meeting. Within 15 days following the date of the notice of the Director's decision, an Owner may file a written appeal with the City Clerk, indicating the portion of the decision he or she claims is inaccurate or incorrect. As soon as practicable after receiving the appeal, the City Clerk will request a copy of the record from the Director and, following receipt of the record, will schedule a public hearing to consider the appeal. Notice of the public hearing shall be provided to the Owner who shall be afforded the opportunity to appear in person and be heard. As soon as practicable after conclusion of the public hearing, the City Council will determine whether the decision of the Director properly applied the provisions of this Article and will affirm the decision if it finds that the Director properly applied the provisions of this Article and the decision is supported by substantial evidence.
- (d) An Owner may appeal a decision of the City Council made pursuant to section 52-205(c) above, within thirty (30) days of its issuance to the Circuit Court of Mobile County.

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

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

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

- (a) At the time of registration, or at any time thereafter, the Code Official shall determine whether an inspection of a Vacant Structure is necessary to identify any conditions that present a threat to public safety.
- (b) The Code Official is authorized to conduct inspections of structures on the Vacant Structure Registry, and, to the extent feasible under the circumstances to take reasonable steps to ensure the structure (i) complies with the security and maintenance regulations for Vacant Structures in Section 52-209; (ii) is being kept weathertight and secure from trespassers; (iii) provides for safe entry to police officers and firefighters in times of emergency, (iv) does not impede private and/or public efforts to rehabilitate or maintain surrounding properties; (v) and does not present a public hazard. Inspection may be a visual inspection of the exterior of the vacant structure by the Code Official or his/her designee.
- (c) If the Code Official determines that an internal inspection is necessary, he/she is authorized to make a reasonable effort to locate the owner, the owner's authorized agent, or other person having charge or control of the structure (herein referred to collectively as the "Owner") and request entry. If the Owner fails or refuses to grant entry, the Code Official shall have recourse to the remedies provided by law to secure entry.
- (d) Any corrective action required to abate unsafe buildings and structural nuisances shall proceed under Article II of this Chapter 52.

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

- (a) Personal obligation; civil action. Except for Owners who have properly perfected an appeal under §52-205, any registration, renewal, or other non-penalty fee due under §52-204 constitutes a debt due to the City. The City may commence a civil action to collect any unpaid amount. Nothing herein limits the City's ability to assess late charges authorized by this Article.
- (b) Municipal code liens (civil penalties; enforcement/abatement costs). In lieu of, or in addition to, a civil action, the City may, upon nonpayment, record a Notice of Municipal Code Lien against the real property for any civil penalty imposed under this Article and any enforcement or abatement costs incurred to secure, inspect, re-inspect, board, clean, or otherwise remedy violations of this Article, consistent with Ala. Code §§11-40-62 through 11-40-69. Such municipal code liens do not include routine registration or renewal fees.
- (c) Recording; interest; priority; owner-occupied exclusion. Upon recordation in the Office of the Judge of Probate, a municipal code lien shall bear interest at seven and one-half percent (7.5%) per annum from the date of filing and shall be superior to all liens except tax liens, as provided in Ala. Code §§11-40-62(4) and 11-40-63(b). Owner-occupied real property is excluded from in-rem enforcement as provided in §11-40-63(a).
- (d) Notice of nonpayment. Prior to recording a municipal code lien or filing suit, the City shall provide written notice by certified mail to the Owner at the address of record; if undeliverable, the City may provide notice by first-class mail and posting a conspicuous notice on the structure.
- (e) Foreclosure of municipal code liens. Municipal code liens may be enforced by judicial in-rem foreclosure pursuant to Ala. Code §§11-40-64 through 11-40-69 and City Code §52-139.
- (f) Other lien authorities unaffected. This section does not limit the City's authority to assess and enforce assessment liens arising from unsafe structure abatement under Ala. Code §11-53B-1 et seq. or weed liens under Ala. Code §11-67-1 et seq., when those statutes are invoked.

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

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

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- (1) Vacant Structures shall be secured so as not to be accessible to unauthorized persons. Securing of Vacant Structures includes, but is not limited to, closing and locking windows, doors, walk-through, sliding, and garage doors/gates, and any other opening that may allow access to the interior of the property and/or structures. In the case of broken windows securing means re-glazing or boarding the windows.
- (2) The Owner shall ensure that the property on which the structure is located is continuously in compliance with the requirements of this Article and all applicable provisions of the city's building code.
- (3) The Owner of a Vacant Structure shall perform or provide for the performance of periodic maintenance, including but not limited to grass cutting or leaf removal on a timely basis.
- (4) The Owner shall maintain a policy of liability insurance with coverage for not less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) aggregate protecting against injury or damage to person or property arising from the Vacant Structure and shall provide the Code Official proof of insurance upon request.
- (5) The Owner shall ensure that the Vacant Structure is at all times protected by a fire alarm system(s) that detects fires, transmits alarm signals to the public safety answering point (PSAP) via a UL-listed central station and is continuously monitored, maintained, and inspected as required by the International Fire Code 2021 Edition Section 901.6 and NFPA 72, as currently enacted or as hereafter amended. The system shall be supported by a dedicated power source. If the power source is electricity, it must comply with the city's electrical code. The power source may be a temporary pole supplying the electricity.
- (6) The Owner shall ensure that the Vacant Structure has a plumbing system that either complies with the city's plumbing and building codes or is properly closed off and secured from infestation by rodents and insects.
- (7) The Owner shall install and maintain a Knox Box, type and mounting location as required by the Fire Code Official.
- (8) The Owner shall ensure that the Vacant Structure and surrounding property have exterior lighting as required by the Code Official.

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

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

Sec. 52-211. Severability.

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

Sec. 52-212. Effective Date

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

Sec. 52-213. Review.

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

and the vote was as follows:

Ayes: Reynolds and Woods

Nays: Penn, Ingram, Small, and Fleming

The Presiding Officer declared the amendment failed.

Councilmember Ingram offered the following amendment which was seconded by Councilmember Small:

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

VACANT STRUCTURE REGISTRY

Sec. 52-200. Adoption.

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

Sec. 52-201. Purpose.

- (d) The city has determined that uninspected and unmonitored vacant commercial structures in the Henry Aaron Loop (i) present a fire hazard; (ii) are often utilized by vagrants and transients (including drug abusers and traffickers) as dangerous and unsafe temporary shelters; (iii) detract from private and/or public efforts to rehabilitate or maintain surrounding buildings; and (iv) require additional regulation and services to protect the health, safety and welfare of the public.
- (e) Under this Article, vacant commercial structures in the Henry Aaron Loop will be registered with the city, owners will pay a vacant structure registration fee as set forth herein, and the owners will otherwise conform to the requirements of this vacant structure code.
- (f) It is the intent of this Article that, through a registration, inspection, and monitoring process, and other improved public safety efforts, vacant commercial structures in the Henry Aaron Loop will be kept weathertight and secure from trespassers, will provide safe entry to police officers and firefighters in times of emergency, will not impede private and/or public efforts to rehabilitate or maintain surrounding properties, and will not otherwise present a public nuisance.
- (g) It is the city's further intent for the provisions of this Article to supplement Chapter 52 Article II, Abatement of Unsafe Buildings and Structural Nuisances, by placing the responsibility to register and maintain a vacant commercial structure on the Owner of the structure before a condition of the structure becomes unsafe or a public nuisance. Under no circumstances is the city undertaking a duty to register or maintain any vacant commercial structure.

Sec. 52-202. Definitions.

- (b) For purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them as follows:
 - (1) *Actively marketed*: A property is listed with a realtor and placed on the MLS or other realty website, or is being promoted through consistent, proactive, and direct efforts to attract and engage potential customers or buyers, through methods like advertising, direct outreach, and digital platforms such

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as realty websites. The term implies that the marketer is not just passively waiting for customers but is actively taking steps to connect with them, modify their approach, and create a strong, visible presence in the market.

- (2) *Boarded*: A Vacant Structure shall be deemed to be "boarded" if in place of one or more exterior doors, other than a storm door, or of one or more windows, there is a sheet or sheets of plywood or similar material covering the space for such door or window, in compliance with Mobile City Code, Section 52- 1, Property Maintenance Code Boarding Methods.
- (3) *Code official*: The city's code official, as defined in Section 52-22 of this Chapter, or his or her designee.
- (4) *Commercial structure*: Any structure used or intended to be used to generate revenue. Commercial structures include structures leased to tenants who occupy the property for non-commercial uses such as residences or offices of non-profit organizations.
- (5) *Director*: The City of Mobile official designated by the Mayor as the person to whom the Code Official reports, either directly or through the chain of command.
- (6) *Henry Aaron Loop*: That geographic area within downtown Mobile bounded by Beauregard Street on the north, Water Street on the east, Canal Street on the south, and Broad Street on the west.
- (7) *Occupy/occupied/occupies*: Any building or structure shall be deemed to be "occupied" if one or more persons conducts a lawful business or lawfully resides in the building as the licensed business occupant, or as the legal or equitable owner/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same.
- (8) *Open*: A Vacant Structure shall be deemed to be "open" if any one or more exterior doors other than a storm door is broken, open, and/or closed but without a properly functioning lock to secure it; if one or more windows is broken or not capable of being locked and secured from intrusion; if any other opening in the structure allows entry into the structure by an unauthorized person; or any combination of the same.
- (9) *Owner*: Any person, agent, firm or corporation having legal title to the real property, including any mortgage holder, bank, lien holder, company, institution, individual or other entity listed in the records of the office of the judge of probate of the county, and/or the estate of any deceased owner(s), and/or the last assessed owner in the property tax records of the Mobile County Revenue Commissioner with the legal right to enter the property.
- (10) *Plan for Maintenance*: A formal strategy and detailed document that outlines the specific tasks, required materials, tools, and procedures needed to keep the building maintained according to the city building code.
- (11) *Square footage*: The gross interior floor area of the structure measured to the exterior face of perimeter walls, including basements and mezzanines, but excluding structured parking and unenclosed exterior areas.
- (12) *Vacant Structure Registry*: The structure registry created pursuant to this Article, specifically by section 52-204(a).
- (13) *Vacant Structure*: A commercial structure on a parcel of real property that either:
 - (A) Has, for a continuous period of at least six (6) months, lacked regular, lawful occupancy by persons entitled to be on the premises, excluding **intermittent, token, or incidental presence not amounting to bona fide use**; or
 - (B) Has had substantially all lawful business operations cease for at

least six (6) months.

For purposes of this definition, if a **discrete** floor or other **separately occupiable** portion of a building has a current **Certificate of Occupancy (CO)** and is actively occupied, that occupied portion is not a Vacant Structure; however, any **vacant** portions of the building must be protected by fire-alarm systems that comply with Section 52-209(a)(5).

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

- (a) *Applicability and obligation to register.* Except as provided in subsection (c) below, this Article is applicable to all Vacant Structures and their Owners in the Henry Aaron Loop in the City of Mobile. It is the obligation of the Owner of any Vacant Structure to register it with the Code Official in accordance with the provisions of section 52-204. Registration shall be required for all Vacant Structures, whether vacant and secure, vacant and open or vacant and boarded. Vacant Structures shall be registered on or before 30 days after becoming a Vacant Structure, unless exempt under subsection (c) below. The registration of a Vacant Structure and the payment of registration fees do not exonerate the Owner, agent, or responsible party from compliance with any other building code or zoning requirement.
- (b) *Registration by Code Official.* When the Code Official has reason to believe a structure is a Vacant Structure, a notice may be posted on the subject structure stating that the Code Official has reason to believe that the structure is a Vacant Structure and directing the Owner to either (i) register the structure in accordance with the provisions of this Article or (ii) provide the Code Official evidence demonstrating that the structure is not a Vacant Structure. In addition to posting a notice on the suspected Vacant Structure, the Code Official is hereby authorized, by certified mail; if undeliverable, by first-class mail; send a copy of the same notice to the Owner(s) of the property listed in the records of the Revenue Commissioner of Mobile County, or other records readily available to the City. If, 30 days after posting and mailing, the Owner has neither registered the property in the Vacant Structure Registry nor demonstrated to the Code Official that the property is not a Vacant Structure, the Code Official may add the structure to the Vacant Structure Registry using the information of record. In addition to all other fees, Owners of properties registered by the Code Official under this section shall owe a failure to register fee under Section 52-204 (d) (4).
- (c) *Exemptions.* The following are exempt from the requirements of this Article:
 - (1) Any building owned by the city, county, state, or federal government.
 - (2) Buildings under construction or property that is being actively renovated or rehabilitated; provided, this exemption shall be available for no more than 18 months, unless the Owner provides a work plan to accomplish the renovation or rehabilitation or other written justification the Code Official to extend the exemption.
 - (3) Actively Marketed Vacant Structures; provided, this exemption shall be available for no more than twelve (12) months, unless the Owner provides written justification to the Code Official to extend the exemption.
 - (4) Vacant Structures that are vacant due to fire damage or damage caused by an extreme weather event; provided, this exemption shall be available for no more than six (6) months following the fire or extreme weather event, unless the City Council by resolution extends the exemption period due to a major disaster affecting numerous properties in the Henry Aaron Loop.

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- (5) Actively Marketed commercial structures in the Henry Aaron Loop purchased through an arm's length transaction for up to twelve (12) months following the date on which the purchase closes.
- (6) Mixed-Occupancy Buildings. A building containing one or more Vacant Areas is not required to register under this Article if: (i) at least one discrete area of the building holds a current Certificate of Occupancy (CO) and is actively occupied; and (ii) all Vacant Areas comply with §52-209(a)(5), provided that the occupied area constitutes at least twenty percent (20%) of the building's gross leasable floor area or ten thousand (10,000) square feet, whichever is less.

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

- (h) *Registry created.* The Vacant Structure Registry is hereby created. The Code Official is hereby authorized to create, compile, monitor and enforce the Vacant Structure Registry. The city finance department is authorized to aid and assist the Code Official with the administration and collection of fees and other matters related to this Article.
- (i) *Registration information.* Owners of property(ies) on which one or more Vacant Structures are located, upon notification by the Code official shall, within thirty (30) days of notification register the same with the city on a form supplied by the city. The registration form will require the following information:
 - (1) The street address of the Vacant Structure(s);
 - (2) The type of Vacant Structure(s);
 - (3) The square footage for each Vacant Structure;
 - (4) The name, residence address, business address, email address, telephone number, and mobile telephone number of all Owners of the Vacant Structure;
 - (5) The name, address, e-mail address, telephone number, and mobile telephone number, of all persons authorized to make or order repairs or services for the Vacant Structure;
 - (6) If an Owner resides or is domiciled outside the city, the name, address, e-mail address, mobile number and telephone number of a person located within the city who is designated to accept legal notices or service of process on matters concerning the Vacant Structure;
 - (7) If the Owner is a corporation or a limited liability company, the name(s), address(es), email address(es) and telephone number(s) of an officer or agent of the corporation or limited liability company designated to accept all legal notices of fees due or services of process with respect to the Vacant Structure;
 - (8) If the Owner is an estate, the name, address, business address, email address and telephone number of the executor of the estate;
 - (9) If the Owner is a trust, the name, address, business address, email address and telephone number of the trustee(s) designated to accept all legal notices of fees due or services of process with respect to the Vacant Structure;
 - (10) If the Owner is a partnership, the names, addresses, business address, email addresses and telephone number of all partners with an interest of ten percent or greater;
 - (11) If the Owner is any other form of unincorporated association, the names address, business address, email address and telephone numbers of all principals with an interest of ten percent or greater;
 - (12) Proof of a liability insurance policy in force for protection against damage

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to persons and property, so as to ensure that the purposes of this Article are met;

- (13) Proof of a fire protection system(s) maintained and monitored in accordance with the International Fire Code 2021 Edition Section 901.6, as currently enacted or as hereafter amended.
 - (14) Proof of a plumbing system that either complies with city plumbing and building codes or is properly closed off and secured from infestation by rodents and insects.
 - (15) The Owner's plan for maintenance and repair of the Vacant Structure(s), including the time within which the Owner anticipates completion of all repairs necessary to bring the Vacant Structure(s) into compliance with the city building code, outline of specific tasks, scope of work and required materials needed to accomplish the repairs.
- (j) *Amending information.* If the registration information collected in accordance with this section changes or becomes inaccurate during any calendar year, it is the responsibility of the Owner, responsible party or agent for the same to contact the Code Official within 30 days of the occurrence of such change and advise the city of those changes in writing.
- (k) *Fees.* There shall be a fee for each Vacant Structure on the Vacant Structure Registry. The fees shall be remitted to the Code Official for deposit into a dedicated fund as defined in paragraph (e) below, as follows:
- (1) For commercial structures used as residences with one to three units;
 - (i) For the first year, \$250.
 - (ii) For the second year, \$500.
 - (iii) For the third year, \$750.
 - (iv) For each subsequent year, \$1,000.
 - (2) For commercial structures used as residences with four or greater units and mixed commercial use and residential use of two or greater units:
 - (i) For the first year, \$500.
 - (ii) For the second year, \$1,000.
 - (iii) For the third year, \$1,500.
 - (iv) For each subsequent year, \$2,000.
 - (3) For commercial structures without any residential units, the greater of:
 - (i) For the first year, \$500 or \$0.05 per square foot.
 - (ii) For the second year, \$1,000 or \$0.10 per square foot.
 - (iii) For the third year, \$1,500 or \$0.15 per square foot.
 - (iv) For each subsequent year, \$2,000 or \$0.20 per square foot.
 - (4) In addition to the above registration fees, for Vacant Structures that are registered by the Code Official under Section 52-203 (b), a failure to register fee of \$500.00.
 - (5) The Vacant Structure shall be registered prior to the issuance of any building permits for that structure, except for a demolition permit. No demolition permit shall be issued except in accordance with Section 6 of the Downtown Development Code (Appendix A, Chapter 64, Mobile City Code); and, in the case of any structure located within a designated historic district, only upon approval by issuance of a Certificate of Appropriateness, as required Chapter 44.
- (l) *Dedicated account.* All fees collected pursuant to this Article shall be deposited into a separate fund known as the Vacant Structures Registry Fund and shall be appropriated to the city's Tax Increment Finance District 1 Fund, and earmarked solely to repair, rehabilitate or stabilize Vacant Structures, to administer this Article, in an effort to support economic development, property

rehabilitation and blight reduction, blight being defined as in Sec. 52-152(c), in the Henry Aaron Loop. All amounts remaining in the Vacant Structures Registry Fund at the end of the fiscal year shall not lapse but shall retain their dedication to the purposes of the Fund.

- (m) *Publication.* The city may, from time to time, publish or disclose certain information contained in the Vacant Structure Registry, including, but not limited to:
- (1) General demographic information about Vacant Structures registered on the Vacant Structure-Registry;
 - (2) The address of Vacant Structures on the Vacant Structure Registry;
 - (3) The Owners of each Vacant Structure;
 - (4) The amount of time any Vacant Structure has been on the Vacant Structure Registry; and
 - (5) The amount of any delinquent fees due under this Article, or otherwise due to the city for any Vacant Structure.

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

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

Sec. 52-205. Right of appeal.

- (e) *Request for reconsideration.* The Owner shall have the right to request reconsideration by the Director of (i) the imposition of the registration fees imposed by this Article and/or (ii) the designation of a building as a Vacant Structure, by filing a request for reconsideration in writing to the Director no later than 15 calendar days after the date of the notice to the Owner that a property has been placed on the Vacant Structure Registry pursuant to section 52-203(b) or that fees are due under this Article. On the request for reconsideration, the Owner shall bear the burden of providing evidence that the building is occupied, such evidence can include leases, sub-leases, rental agreements, purchase agreements, affidavits of occupancy or other documents that provide evidence the building is not a Vacant Structure, or that the building is a Vacant Structure but exempt from registration.
- (f) *Director's determination.* Within 30 days, or as soon thereafter as is practicable, after the Director receives a request for reconsideration pursuant to section 52-205(a) above, the Director is authorized to contact the Owner(s) and afford them the opportunity to meet in person or virtually to present their request for reconsideration. Within 30 days, or as soon thereafter as is practicable after consideration of all information provided by the Owner, the Director shall grant or deny the request in writing and provide the Owner with a copy of the decision.
- (g) *Appeal of Director's decision.* If the Owner receives an unfavorable decision from the Director, the Owner may appeal that decision to the City Council for review at a public hearing, which may be conducted during a regularly scheduled City Council meeting. Within 15 days following the date of the notice

of the Director's decision, an Owner may file a written appeal with the City Clerk, indicating the portion of the decision he or she claims is inaccurate or incorrect. As soon as practicable after receiving the appeal, the City Clerk will request a copy of the record from the Director and, following receipt of the record, will schedule a public hearing to consider the appeal. Notice of the public hearing shall be provided to the Owner who shall be afforded the opportunity to appear in person and be heard. As soon as practicable after conclusion of the public hearing, the City Council will determine whether the decision of the Director properly applied the provisions of this Article and will affirm the decision if it finds that the Director properly applied the provisions of this Article and the decision is supported by substantial evidence.

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

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

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

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

- (e) At the time of registration, or at any time thereafter, the Code Official shall determine whether an inspection of a Vacant Structure is necessary to identify any conditions that present a threat to public safety.
- (f) The Code Official is authorized to conduct inspections of structures on the Vacant Structure Registry, and, to the extent feasible under the circumstances to take reasonable steps to ensure the structure (i) complies with the security and maintenance regulations for Vacant Structures in Section 52-209; (ii) is being kept weathertight and secure from trespassers; (iii) provides for safe entry to police officers and firefighters in times of emergency, (iv) does not impede private and/or public efforts to rehabilitate or maintain surrounding properties; (v) and does not present a public hazard. Inspection may be a visual inspection of the exterior of the vacant structure by the Code Official or his/her designee.
- (g) If the Code Official determines that an internal inspection is necessary, he/she is authorized to make a reasonable effort to locate the owner, the owner's authorized agent, or other person having charge or control of the structure (herein referred to collectively as the "Owner") and request entry. If the Owner fails or refuses to grant entry, the Code Official shall have recourse to the remedies provided by law to secure entry.
- (h) Any corrective action required to abate unsafe buildings and structural nuisances shall proceed under Article II of this Chapter 52.

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

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

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assess late charges authorized by this Article.

- (b) Municipal code liens (civil penalties; enforcement/abatement costs). In lieu of, or in addition to, a civil action, the City may, upon nonpayment, record a Notice of Municipal Code Lien against the real property for any civil penalty imposed under this Article and any enforcement or abatement costs incurred to secure, inspect, re-inspect, board, clean, or otherwise remedy violations of this Article, consistent with Ala. Code §§11-40-62 through 11-40-69. Such municipal code liens do not include routine registration or renewal fees.
- (c) Recording; interest; priority; owner-occupied exclusion. Upon recordation in the Office of the Judge of Probate, a municipal code lien shall bear interest at seven and one-half percent (7.5%) per annum from the date of filing and shall be superior to all liens except tax liens, as provided in Ala. Code §§11-40-62(4) and 11-40-63(b). Owner-occupied real property is excluded from in-rem enforcement as provided in §11-40-63(a).
- (d) Notice of nonpayment. Prior to recording a municipal code lien or filing suit, the City shall provide written notice by certified mail to the Owner at the address of record; if undeliverable, the City may provide notice by first-class mail and posting a conspicuous notice on the structure.
- (e) Foreclosure of municipal code liens. Municipal code liens may be enforced by judicial in-rem foreclosure pursuant to Ala. Code §§11-40-64 through 11-40-69 and City Code §52-139.
- (f) Other lien authorities unaffected. This section does not limit the City's authority to assess and enforce assessment liens arising from unsafe structure abatement under Ala. Code §11-53B-1 et seq. or weed liens under Ala. Code §11-67-1 et seq., when those statutes are invoked.

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

- (b) It shall be the responsibility of the Owner of a Vacant Structure to ensure the following:
 - (1) Vacant Structures shall be secured so as not to be accessible to unauthorized persons. Securing of Vacant Structures includes, but is not limited to, closing and locking windows, doors, walk-through, sliding, and garage doors/gates, and any other opening that may allow access to the interior of the property and/or structures. In the case of broken windows securing means re-glazing or boarding the windows.
 - (2) The Owner shall ensure that the property on which the structure is located is continuously in compliance with the requirements of this Article and all applicable provisions of the city's building code.
 - (3) The Owner of a Vacant Structure shall perform or provide for the performance of periodic maintenance, including but not limited to grass cutting or leaf removal on a timely basis.
 - (4) The Owner shall maintain a policy of liability insurance with coverage for not less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) aggregate protecting against injury or damage to person or property arising from the Vacant Structure and shall provide the Code Official proof of insurance upon request.
 - (5) The Owner shall ensure that the Vacant Structure is at all times protected by a fire alarm system(s) that detects fires, transmits alarm signals to the public safety answering point (PSAP) via a UL-listed central station and is continuously monitored, maintained, and inspected as required by the International Fire Code 2021 Edition Section 901.6 and NFPA 72, as currently enacted or as hereafter amended. The system shall be supported by a dedicated power source. If the power source is electricity, it must comply with the city's electrical code. The power source may be a temporary pole supplying the electricity.
 - (6) The Owner shall ensure that the Vacant Structure has a plumbing system that either complies with the city's plumbing and building codes or is properly closed off and secured from infestation by rodents and insects.

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- (7) The Owner shall install and maintain a Knox Box, type and mounting location as required by the Fire Code Official.
- (8) The Owner shall ensure that the Vacant Structure and surrounding property have exterior lighting as required by the Code Official.

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

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

Sec. 52-211. Severability.

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

Sec. 52-212. Effective Date

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

Sec. 52-213. Review.

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

and the vote was as follows:

Ayes: Reynolds

Nays: Penn, Ingram, Small, Fleming, and Woods

The Presiding Officer declared the amendment passed.

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

Ayes: Reynolds

Nays: Penn, Ingram, Small, Fleming, and Woods

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

CIP RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO GAMETIME FOR NEW PLAYGROUND EQUIPMENT FOR LAVRETTA PARK; \$649,921.69. The following resolution which was introduced and read at the regular meeting of November 12, 2025, and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 08-1431-2025

Sponsored by: Mayor Cheriogotis

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3450</u>	2026	(3032) ARCHITECTURAL ENGINEERING	NEW PLAYGROUND EQUIPMENT FOR LAVRETTA PARK (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$649,921.69	<u>(289913)</u> <u>GAMETIME</u>

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

AUTHORIZE CONTRACT WITH PERSONS SERVICES CORP. FOR FIGURES PARK – COMMUNITY CENTER MECHANICAL IMPROVEMENTS; \$461,000.00. The following resolution which was introduced and read at the regular meeting of November 12, 2025, and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1432-2025

Sponsored by: Mayor Cheriogotis and Councilmember Penn

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, 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: Persons Services Corp

Project Name: CIP Figures Park – Community Center
Mechanical Improvements

Project Number: PR-035-25

Amount: \$461,000.00

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

AUTHORIZE CONTRACT WITH ROGERS & WILLARD INC. FOR TAYLOR PARK COMMUNITY CENTER IMPROVEMENT; \$6,075,365.00. The following resolution which was introduced and read at the regular meeting of November 12, 2025, and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1433-2025

Sponsored by: Mayor Cheriogotis and Councilmember Small

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, 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: Rogers & Willard Inc.

Project Name: CIP Taylor Park Community Center Improvement

Project Number: PR-003-24

Amount: \$6,075,365.00

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

CONSENT RESOLUTIONS HELD OVER

DECLARE THE STRUCTURE AT 506 PATTON AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution which introduced and read at the regular meeting of September 9, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 40-1157-2025

Sponsored by: Councilmember Ingram

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, Abatement of Unsafe Buildings and Structural Nuisances "adopted December 5, 2017, the accessory structure at 506 PATTON AVENUE has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A • No. 3, 4, 7, and B; and**

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at **506 PATTON AVENUE described as:**

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

Parcel Number: 29 07 25 O 002179

Last Assessed to: CAMPBELL VICTOR

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

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

RESOLUTIONS HELD OVER

AUTHORIZE CONTRACT WITH UNITED METHODIST INNER CITY MISSION OF MOBILE, INC. FOR MAINTENANCE AND OPERATION OF THE TAYLOR PARK RECREATION CENTER, PLAYGROUND, SWIMMING POOL AND WADING POOL; NTE \$123,500.00. The following resolution which introduced and read at the regular meeting of November 4, 2025 and was held over until the regular meetings of November 12, 2025, and November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1414-2025

Sponsored by: Mayor Cheriogotis

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 facilities operation contract with The United Methodist Inner City Mission of Mobile, Inc., for maintenance and operation of the Taylor Park Recreation Center, Playground, Swimming Pool and Wading Pool in the amount of \$30,875.00 quarterly during the term of this Agreement, for a total annual payment not-to-exceed \$123,500.00 thereafter, 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 Small moved to hold the resolution over for one week, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

AUTHORIZE AGREEMENT FOR TRANSFER OF RIGHT-OF-WAY FROM ALABAMA DEPARTMENT OF TRANSPORTATION TO THE CITY FOR ADDITIONAL LANES ON ZEIGLER BOULEVARD. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 01-1434-2025

Sponsored by: Mayor Cheriogotis and Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby requests the Rights-of-Way acquired or condemned by the State of Alabama ("ALDOT"), in conjunction with City Engineering Project No. 2007-202-02; ALDOT Project No_STPMB-7550 (600) Add Lanes on Zeigler Boulevard from Athey Road to Forest Hill Drive, be transferred to the City of Mobile.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

AUTHORIZE MEMORANDUM OF UNDERSTANDING BETWEEN THE U.S. DEPARTMENT OF JUSTICE, UNITED STATES MARSHALS SERVICE AND THE CITY OF MOBILE POLICE DEPARTMENT. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 01-1435-2025

Sponsored by: Mayor Cheriogotis

WHEREAS, the U.S. Department of Justice, through the United States Marshals Service, coordinates the Gulf Coast Regional Fugitive Task Force program with federal, state, and local law enforcement agencies for the purpose of locating and apprehending fugitives.

WHEREAS, this program will reimburse overtime costs for City of Mobile Police Department investigators working Gulf Coast Regional Task Force cases.

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

Section 1. That the Mayor and is authorized to execute and enter into, on behalf of the City of Mobile, the attached updated United States Marshals Service Fugitive Task Force Memorandum of Understanding For Non-Federal Agencies (Exhibit A) which governs the Task Force Overtime Reimbursements to the City of Mobile.

Section 2. That the City of Mobile may accept the funding reimbursements of overtime expenses during the 2024 and 2025 fiscal years set forth in Exhibit B.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

APPROVE PURCHASE ORDER TO IRON BOW TECHNOLOGIES, LLC FOR 1-YEAR CYBERSECURITY PROTECTION SERVICE PACKAGE FOR MIT; \$83,826.29. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 08-1436-2025

Sponsored by: Mayor Cheriogotis

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3504</u>	2026	(5000) INFORMATION TECHNOLOGY	ONE-YEAR CYBERSECURITY PROTECTION SERVICE PACKAGE FOR MIT (PROFESSIONAL SERVICES)	\$83,826.29	<u>(300008) IRON BOW TECHNOLOGIES LLC</u>

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

AUTHORIZE CONTRACT WITH AACRC, INC. D/B/A ARK ANIMAL CLINIC AND REHAB CENTER, FOR PROFESSIONAL VETERINARY SERVICES; NTE \$200,000.00. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1439-2025

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and AACRC, Inc., doing business as Ark Animal Clinic and Rehab Center, for twelve months, in an amount not to exceed \$200,000.00, as appropriated funds are available, for professional veterinary services, 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 Penn moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

MINUTES OF NOVEMBER 18, 2025

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

AUTHORIZE CONTRACT WITH AG WITT, LLC TO PROVIDE PROFESSIONAL SERVICES FOR THE OFFICE OF RESILIENCE; NTE \$ 500,000.00 PER YEAR. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1440-2025

Sponsored by: Mayor Cheriogotis

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 for Post Disaster Relief Management, by and between the City of Mobile and the company listed below, for work as outlined in contract attached hereto and made a part hereof as set forth in full, subject to the company signing the contract. A copy of said executed contract will be on file in the office of the City Clerk.

Name of Company: AG Witt, LLC

Not to Exceed Cost: \$500,000.00

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

AUTHORIZE CONTRACT WITH C4 CAPITAL, LLC. D/B/A C4 BUILDS, FOR PROFESSIONAL CONSULTING SERVICES; NTE \$102,000.00. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1441-2025

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and C4 Capital LLC, doing business as C4 Builds, for one year, renewable for two additional one-year periods without further approval required by Council, in an amount not to exceed \$102,000.00 per year, as appropriated funds are available, for professional consulting services, 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 Penn moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

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AUTHORIZE CONTRACT WITH DIVERSIFIED MAINTENANCE-RWS, LLC FOR JANITORIAL SERVICE AT THE NATIONAL MARITIME MUSEUM OF THE GULF; \$142,536.00. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1442-2025

Sponsored by: Mayor Cheriogotis and Councilmember Ingram

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 Service Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the service contract attached hereto and made a part hereof as though set forth in full. A copy of said service contract is on file in the office of the City Clerk.

Name of Company: DIVERSIFIED MAINTENANCE – RWS, LLC

Project Name: SERVICE CONTRACT – NATIONAL MARITIME MUSEUM OF THE GULF – JANITORIAL SERVICE (3 YEARS)

Project Number: SC-025-25

Amount: \$46,884.00 FIRST YEAR
\$47,352.00 SECOND YEAR
\$48,300.00 THIRD YEAR
\$142,536.00 TOTAL CONTRACT

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

AUTHORIZE CONTRACT WITH DORSEY & DORSEY ENGINEERING, INC. FOR 2026 CIP RESURFACING, DISTRICT 6; \$315,000.00. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1443-2025

Sponsored by: Mayor Cheriogotis and Councilmember Woods

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

Name of Company: Dorsey & Dorsey Engineering, Inc.

Project Name: 2026 CIP Resurfacing Council District 6
COM Project #2026-3005-02

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Estimated Cost: \$315,000.00

The resolution was read by the City Clerk, whereupon Councilmember Penn moved to adopt the resolution, which was seconded by Councilmember Small and following comments from Councilmember Woods the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

AUTHORIZE CONTRACT WITH DVMIMS, P.C., D/B/A TILLMANS CORNER VETERINARY HOSPITAL, FOR PROFESSIONAL VETERINARY SERVICES; NTE \$200,000.00. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1444-2025

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and DVMIMS, P.C., doing business as Tillmans Corner Veterinary Hospital, for twelve months, in an amount not to exceed \$200,000.00, as appropriated, as appropriated funds are available, for professional veterinary services, 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 Penn moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woodds
Nays: None

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

AUTHORIZE CONTRACT WITH LICENSING AND IMPLEMENTATION OF VIDEO MANAGEMENT SYSTEM FOR SECURITY CAMERAS; NTE \$1,500,000.00. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1446-2025

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Office Management Systems, Inc. DBA Logista for provision of software products and services in support of the City's Surveillance Video Management System, for five years from the date of approval, in the not to exceed amount of \$1,500,000, 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.

MINUTES OF NOVEMBER 18, 2025

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

AUTHORIZE CONTRACT WITH SAWGRASS CONSULTING, LLC FOR 2026 CIP RESURFACING COUNCIL DISTRICTS 1, 2, 3, 4, 5 AND 7; \$1,198,685.00. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1447-2025

Sponsored by: Mayor Cheriogotis and Councilmembers Penn, Ingram, Small, Reynolds, Fleming, and Gregory

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

Name of Company: Sawgrass Consulting, LLC

Project Name: 2026 CIP Resurfacing Council Districts 1,2,3,4,5, and 7
COM Project # 2026-3005-01

Estimated Cost: \$1,198,685.00

The resolution was read by the City Clerk, whereupon Councilmember Penn moved to adopt the resolution, which was seconded by Councilmember Small and following comments from Councilmembers Reynolds, Penn, Ingram, and Fleming the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

AUTHORIZE THE MAYOR TO APPLY, ACCEPT, AND RECEIVE A GRANT FROM THE FEDERAL TRANSIT ADMINISTRATION FOR FEDERAL TRANSPORTATION ASSISTANCE. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 31-1448-2025

Sponsored by: Mayor Cheriogotis

A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION (FTA), AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE

MINUTES OF NOVEMBER 18, 2025

23, UNITED STATES CODE, AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FTA.

WHEREAS, the Federal Transit Administration (FTA) has been delegated authority to award Federal financial assistance for transportation projects;

WHEREAS, the grant or cooperative agreement for Federal Financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

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

1. The Finance Department Operations Manager of the City of Mobile is authorized to execute and file application for Federal assistance on behalf of the CITY OF MOBILE with the Federal Transit Administration (FTA) for Federal assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code or other Federal statutes authorizing a project administered by the Federal Transit Administration. THE CITY OF MOBILE is the Designated Recipient of the Federal Transit Administration Urbanized Area Formula Program authorized by 49 U.S.C. 5307(d)(1).

2. The Finance Department Operations Manager of the City of Mobile is authorized to execute and file with its application the annual certification and assurances and other documents the Federal Transit Administration requires before awarding Federal assistance grants or cooperative agreements.

3. The Finance Department Operations Manager of the City of Mobile is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the CITY OF MOBILE.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

CONSIDER THE APPLICATION OF ACADIAN AMBULANCE SERVICE FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AN AMBULANCE SERVICE. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 37-1449-2025

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Acadian Ambulance Service for a Certificate of Public Convenience and Necessity to operate an ambulance 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 Woods moved to hold the resolution over for eight weeks, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

MINUTES OF NOVEMBER 18, 2025

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over for eight weeks until the regular meeting of January 13, 2026

APPOINT CURTIS GRAVES AS EXECUTIVE DIRECTOR OF PUBLIC SAFETY. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 03-1450-2025

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the appointment by Mayor Spiro N. Cheriogotis of Curtis Graves, as Executive Director of Public Safety is hereby approved by the City Council of the City of Mobile, Alabama, said appointment and approval having been made pursuant to § 11-44C-38(a) of the Code of Alabama.

The resolution was read by the City Clerk, whereupon Councilmember Penn moved to adopt the resolution, which was seconded by Councilmember Woods and following comments from Councilmembers Small, Penn, and Ingram the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

APPOINT BARRY GLISSON AS CHIEF OF THE MOBILE FIRE AND RESCUE DEPARTMENT. The following resolution which was introduced and read at the regular meeting of November 12, 2025 and was held over until the regular meeting of November 18, 2025, was called up by the Presiding Officer.

RESOLUTION: 03-1451-2025

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the appointment by Mayor Spiro . Cheriogotis of Barry Glisson as Chief of Mobile Fire and Rescue Department is hereby approved by the City Council of the City of Mobile, Alabama, said appointment and approval having been made pursuant to § 11-44C-3 8(a) of the Code of Alabama.

The resolution was read by the City Clerk, whereupon Councilmember Woods moved to adopt the resolution, which was seconded by Councilmember Penn and following comments from Councilmembers Woods, Penn, and Small the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Reynolds moved for the suspension of the rules to consider consent resolutions 40-1452 through 60-1469 being introduced for the first time. The motion was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

MINUTES OF NOVEMBER 18, 2025

The Presiding Officer declared unanimous consent granted for the items.

DECLARE THE STRUCTURE AT 1255 BRUSSELLS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-1452-2025

Sponsored by: Councilmember Ingram

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 1255 BRUSSELLS 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. 1, 4, 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 **1255 BRUSSELLS STREET** described as:

LOT 12 & ALL THAT PT OF LOTS 13-14 LYING IN REAR OF SD LOT 12 ALL IN SQ 22 TOULMIN TRT DESC AS BDED BY LINE BEG AT NE COR OF DUVAL & BRUSSELLS ST & THEN RUN ELY ALG N/S DUVAL ST 56 FT 2 IN TO PT THEN NLY PAR WITH BRUSSELLS ST 143 FT 6 IN TO SECOR LOT 1 OF SD SQ THEN WLY ALG S/L SD LOT 1 TO PT ON E/S BRUSSELLS WHICH PT IS 136 FT NLY FROM NE COR OF DUVAL & BRUSSELLS STS THEN SLY ALG E/S BRUSSELLS ST TO PL OF BEG DBK 156 P 53 #SEC 28 T4S R1W #MP29 10 28 4 003

Parcel Number: 29 10 28 4 003 063

Last Assessed to: ROYAL INVESTORS LLC

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

DECLARE THE STRUCTURE AT 655 HOLCOMBE AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-1453-2025

Sponsored by: Councilmember Ingram

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 655 HOLCOMBE 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. 1, 3, 4, 5, 7, 8, 14 and 15; and**

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at **655 HOLCOMBE AVENUE** described as:

THAT CERTAIN LOT OF LAND DE DESC AS BEG AT PT ON EIL HOLCOMBE AVE 153 FT N OF NE COR HOLCOMBE AVE & BANKHEAD ST THAN N ALG E/L HOLCOMBE AVE 42.2 FT TO PT WHICH IS INT OF S/L OF WILLIAMS ST THEN NEL Y ALG S/L WILLIAMS ST 28.2 FT THEN WITH DEFL ANG TO RT 86 DEG 26 MIN RUN SEL Y ALG BDY LINE AS ESTABLISHED BY INSTRUMENT EXECUTED BY JAMES A BRAS WELL & WIFE & W F MANDRELL & WIFE WITH DEFL ANG TO RT 87 DEG 44 MIN RUN S 32 FT THEN WITH DEFL ANG TO RT 93 DEG W ALG N/L OF LOT 20 BLK 23 BON AIR ESTS 150 FT TO BEG PLAT BY DURANT ENGR CO IT BEING INTENDED TO CONVEY HERE BY WITHIN BORYS OF ABOVE DESC LAND LOT 19 BLK 23 BON AIR ESTS DBK 156 P 374 DBK 156 P 374 #SEC 28 T4S R1W #MP2910 28 3 003

Parcel Number: 29 10 28 3 003 057

Last Assessed to: DAVIS CARL W & SHANNON W

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

DECLARE THE STRUCTURE AT 1314 PECAN STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-1454-2025

Sponsored by: Councilmember Ingram

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 1314 PECAN STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 5, 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 **1314 PECAN STREET** described as:

W 45 FT OF LOTS 25 & 26 BLK 25 TISDALE SUB OF FISHER TRT DBK 75 P 260 #SEC 13 T4S R1W #MP29 0613 0 002

Parcel Number: 29 0613 0 002193

Last Assessed to: LEWIS LUCILE

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE LOCATED AT 505 CHIN STREET. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-1455-2025

Sponsored by: Councilmember Ingram

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the

MINUTES OF NOVEMBER 18, 2025

demolition of the structure at 505 Chin Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure at 505 Chin Street to be \$1,500.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$1,500.00 shall constitute a special assessment against the property at structure 505 Chin Street and being that property more particularly described as follows:

LOT 6 BLK 2 OF SUB EAST HIGHLANDS DBK 156 PGS 594-5 #SEC 44 T4S R1W #MP29 02 44 0 003

Parcel No.: 29 02 44 0 003 191.xxx

**Owner: BRYANT VIRGINIA
5417 SPRING DRIVE
MOBILE, AL 36693**

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

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

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE LOCATED AT 559 HICKORY STREET. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-1456-2025

Sponsored by: Councilmember Ingram

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 559 Hickory Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure at 559 Hickory Street to be \$2,300.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$2,300.00 shall constitute a special assessment against the property at structure 559 Hickory Street and being that property more particularly described as follows:

LOT 11 BLK 20 FISHER TRT DBK 22 P 332 #SEC 13 T4S R1W #MP29 06 13 0 002

Parcel No.: 29 06 13 0 002 222.xxx

**Owner: BROWN VALERIE
1109 ANDERS DRIVE
MOBILE, AL 36608-5656**

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

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

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over for one week until the regular meeting of November 25, 2025.

FIX COSTS FOR DEMOLITION OF THE STRUCTURE LOCATED AT 553 LIVE OAK STREET. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-1457-2025

Sponsored by: Councilmember Ingram

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 553 Live Oak Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure at 553 Live Oak Street to be \$3,675.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$3,675.00 shall constitute a special assessment against the property at structure 553 Live Oak Street and being that property more particularly described as follows:

LOTS 21 & 22 IN SQR 21 OF TH TISDALE SUBD OF FISHER TRT DBK 75 NS PG 259 COMM AT TH NW COR OF ST MEADAR & LIVE OAK STS TH RUN WLY ALG TH N/S OF ST MEDAR ST 80 FT TH NLY & PAR W/ LIVE OAK ST 95 FT TO TH S SD OF ENAS ST 80 FT TO TH SW COR OF MENAS ST & LIVE OAK ST TH RUN SLY ON TH W SD OF LIV I OAK ST 95 FT TO TH POB #SEC 13 T4S RIW #MP29 06 13 0 002

Parcel No.: 29 06 13 0 002 217

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**Owner: NICHOLSON JOYCELYN
1608 FAYE STREET SW
DECATUR, AL 35601-2733**

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

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

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE LOCATED AT 753 DR. THOMAS AVENUE. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-1458-2025

Sponsored by: Councilmember Ingram

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 753 Dr. Thomas Avenue and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure at 753 Dr. Thomas Avenue to be \$2,200.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$2,200.00 shall constitute a special assessment against the property at structure 753 Dr. Thomas Avenue and being that property more particularly described as follows:

LOT 68 BLK 1 HAPPY HILL SUB MBK 4 P 431 GRT SEC 44 T4S R1W #SEC 44 T4S R1W #MP29 02 44 0 017

Parcel No.: 29 02 44 0 017 077.031

**Owner: LAND CORNELIUS JAMES
430 DISMUKES AVENUE
MOBILE, AL 36610-2325**

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

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

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over for thirty days until the regular meeting of December 16, 2025.

FIX COSTS FOR DEMOLITION OF THE STRUCTURE LOCATED AT 714 DR. THOMAS AVENUE, S. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-1459-2025

Sponsored by: Councilmember Ingram

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 714 Dr. Thomas Avenue, S. and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure at 714 Dr. Thomas Avenue, S. to be \$2,195.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$2,195.00 shall constitute a special assessment against the property at structure 714 Dr. Thomas Avenue, S. and being that property more particularly described as follows:

LOT 60 BLK 2 HAPPY HILL SUB MBK 4/431 # SEC 44 T4S R1W #MP29 02 44 0 017

Parcel No.: 29 02 44 0 017 077.XXX
Owner: HOWARD PEARLIE
2309 RUSHING DRIVE
MOBILE, AL 36617-2564

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

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

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE LOCATED AT 757 DR. THOMAS AVENUE, S. The following resolution was introduced by Councilmember Reynolds.

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RESOLUTION: 40-1460-2025

Sponsored by: Councilmember Ingram

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 757 Dr. Thomas Avenue, S. and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure at 757 Dr. Thomas Avenue, S. to be \$2,195.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$2,195.00 shall constitute a special assessment against the property at structure 757 Dr. Thomas Avenue, S. and being that property more particularly described as follows:

LOTS 66 & 67 BLK 1 HAPPY HILL SUB MBK 4/431 #SEC 44 T4S R1W #MP29 02 44 0 017

Parcel No.: 29 02 44 0 017 077 029.XXX

**Owner: CAPONIS AUTHERINE & CATHERINE
C/O CAPONIS AUTHERINE & CATHERINE CAPONIS
HEDGEMON
4509 SENATOR STREET
EIGHT MILE, AL 36613-3309**

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

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

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

APPROVE AWARD OF SPECIAL BONUS TO THE OFFICER OF THE MONTH; LOPER.

The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-1461-2025

Sponsored by: Mayor Cheriogotis

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:

October 2025: Officer Xavier Loper

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

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

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: STEWART. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-1462-2025

Sponsored by: Mayor Cheriogotis

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):

October 2025 FFOM – Robert M. Stewart (Emp #5255)

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.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

DETERMINE AN APPROPRIATION TO BAY AREA WOMEN COALITION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-1463-2025

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate \$3,500.00 to Bay Area Women Coalition, from the District 1 Discretionary Fund (10041020 42080); and

WHEREAS, to Bay Area Women Coalition, 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 of the City Council determines that the same serves a public purpose; and

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WHEREAS, the Mobile City Council determines that this appropriation to Bay Area Women Coalition, will be used to assist with the 2025 Trinity Gardens Christmas Parade.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$3,500.00 to Bay Area Women Coalition, for the purposes described hereinabove and pursuant to language in the request serves a public purpose. and the Council further approves and directs the payment of same.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

DETERMINE AN APPROPRIATION TO JOHN L. LEFLORE MAGNET HIGH SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-1464-2025

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate \$2,500.00 to John L. LeFlore Magnet High School, from District 1 Discretionary Funds (10041020 42080); and

WHEREAS, John L. LeFlore Magnet High School, is a public school in Mobile, Alabama, which the Council may support pursuant to Code of Alabama § 16-13-36; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds 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 John L. LeFlore Magnet High School, will be used to assist with the LeFlore High School Basketball programs which will serve a public purpose benefiting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$2,500.00 to John L. LeFlore Magnet High School for the purposes described hereinabove and pursuant to the language on request serves a public purpose and the Council further approves and directs the payment of same.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

DETERMINE AN APPROPRIATION TO SECRET SCIENTIST SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-1465-2025

Sponsored by: Councilmember Penn

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WHEREAS, Councilmember Woods wishes to appropriate \$2,000.00 to Secret Scientist, from the District 6 Discretionary Fund (10041020 42080); and

WHEREAS, to Secret Scientist, 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 Secret Scientist, will be used to assist with the Annual Secret Scientist Topgolf Christmas 2025.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$2,000.00 to Secret Scientist, for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

DETERMINE AN APPROPRIATION TO SECRET SCIENTIST SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-1466-2025

Sponsored by: Councilmember Woods

WHEREAS, Councilmember Woods wishes to appropriate \$2,000.00 to Secret Scientist, from the District 6 Discretionary Fund (10041020 42080); and

WHEREAS, to Secret Scientist, 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 Secret Scientist, will be used to assist with the Annual Secret Scientist Topgolf Christmas 2025.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$2,000.00 to Secret Scientist, for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

DETERMINE AN APPROPRIATION TO MOBILE LAW ENFORCEMENT FOUNDATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-1467-2025

Sponsored by: Councilmember Woods

WHEREAS, Councilmember Woods wishes to appropriate \$4,500.00 to Mobile Law Enforcement Foundation, from the District 6 Discretionary Fund (10041020 42080); and

WHEREAS, to Mobile Law Enforcement Foundation, is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Mobile Law Enforcement Foundation, will be used to assist with the upcoming luncheon on November 19, 2025.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$4,500.00 to Mobile Law Enforcement Foundation, for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

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

DETERMINE AN APPROPRIATION TO FRIENDSHIP MISSIONARY BAPTIST CHURCH SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1468-2025

Sponsored by: Councilmember Gregory

WHEREAS, Councilmember Gregory wishes to appropriate \$10,000.00 to Magnolia Springs Estates Property Owners Association -West, from the District 7 Discretionary Fund (10041020 42080); and

WHEREAS, Magnolia Springs Estates Property Owners Association -West, 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 Magnolia Springs Estates Property Owners Association -West, will be used to assist with beautification and security of the neighborhood.

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NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$10,000.00 to Magnolia Springs Estates Property Owners Association -West, for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

DETERMINE AN APPROPRIATION TO MAGNOLIA SPRINGS ESTATES PROPERTY OWNERS ASSOCIATION-WEST SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-1469-2025

Sponsored by: Councilmember Gregory

WHEREAS, Councilmember Gregory wishes to appropriate \$10,000.00 to Magnolia Springs Estates Property Owners Association -West, from the District 7 Discretionary Fund (10041020 42080); and

WHEREAS, Magnolia Springs Estates Property Owners Association -West, 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 Magnolia Springs Estates Property Owners Association -West, will be used to assist with beautification and security of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$10,000.00 to Magnolia Springs Estates Property Owners Association -West, for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods
Nays: None

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

RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO ALTEC INDUSTRIES, INC. FOR ARTICULATING BUCKET TRUCK FOR URBAN FORESTRY; \$212,775.00. The following resolution was held over until the regular meeting of November 25, 2025.

RESOLUTION: 08-1470-2025

MINUTES OF NOVEMBER 18, 2025

Sponsored by: Mayor Cheriogotis

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3096</u>	2026	(F7000) MOTOR POOL	ALTEC 75-FOOT ARTICULATING BUCKET TRUCK FOR URBAN FORESTRY (SEALED BID 6006)	\$212,775.00	<u>(13850) ALTEC INDUSTRIES INC</u>

CONSIDER VACATION OF ALL RIGHTS-OF-WAY LOCATED WITHIN LOT 1 OF MAA-ACDC SUBDIVISION. The following resolution was held over until the regular meeting of November 25, 2025.

RESOLUTION: 47-1471-2025

Sponsored by: Councilmember Small

DECLARATION OF VACATION OF RIGHT OF WAYS LOCATED IN THE CITY OF MOBILE, ALABAMA

WHEREAS, the undersigned, the Mobile Airport Authority, an Alabama corporation, is the sole the owner of all of the land abutting all right of ways within Lot 1, MAA-ACDC Subdivision located in the City of Mobile, Alabama and described as follows;

See Exhibit A attached hereto and made a part hereof, and
WHEREAS, said party has requested the City of Mobile, Alabama to assent to the vacation and closing by it as the sole owner of said property located in Mobile, Alabama; and

WHEREAS, the vacation of said property will not deny other property owners of such right as they may have to convenient and reasonable means of ingress and egress to and from said property; and

WHEREAS, the undersigned, the Mobile Airport Authority, an Alabama corporation, is the sole the owner of all of the land abutting all right of ways within Lot 1, MAA-ACDC Subdivision located in the City of Mobile, Alabama and described as follows;

WHEREAS, the above stated landowner requests that such property be closed and vacated; and

WHEREAS, said property to be vacated is located in the City of Mobile, State of Alabama; and

WHEREAS, the said property to be vacated is located in the City of Mobile, State of Alabama; and

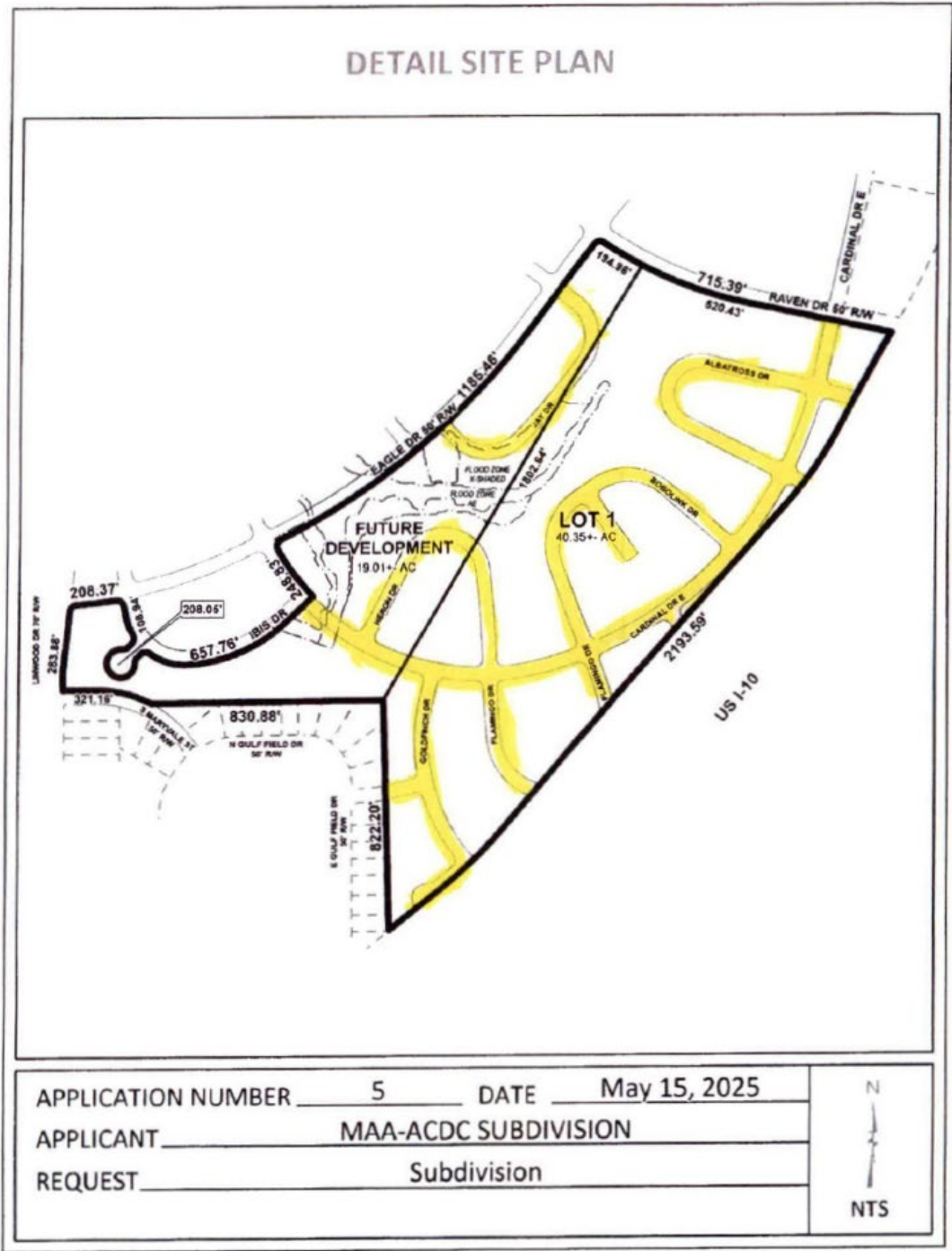
WHEREAS, the same is filed for record herewith;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the undersigned, as the sole owner of the lands, hereby declares said land to be vacated under the authority of §23- 4-20, Code of Alabama, 1975, as amended. This declaration of Vacation of said property is filed strictly in accordance with said statute and, having been so filed, said property hereinabove more particularly described on Exhibit A is hereby declared VACATED, subject to the following conditions:

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1. The declaration of vacation and this resolution assenting to the vacation of said property, upon adoption by the Mobile City Council, be recorded in the Probate Court of Mobile County, Alabama, and a certified copy of the resolution shall be immediately delivered to the Tax Assessor's Plat Room so that this property may be reassessed in the name of the new owners;
2. Spire Gulf, Inc., Mobile Area Water & Sewer System, Alabama Power Company and AT&T are reserved all rights and privileges necessary and convenient for full enjoyment of use of its facilities within and adjacent to the area to be vacated; including the right of ingress and egress to and from said facilities.

EXHIBIT A



CONSIDER A VACATION FEE AS CONDITION OF THE VACATION OF RIGHTS-OF-WAY WITHIN LOT 1 OF MAA-ACDS SUBDIVISION. The following resolution was held over until the regular meeting of November 25, 2025.

RESOLUTION: 47-1472-2025

Sponsored by: Councilmember Small

MINUTES OF NOVEMBER 18, 2025

BE IT RESOLVED by the City Council of the City of Mobile that the vacation fee for the vacation of all rights-of-way within Lot 1 of MAA-ACDC Subdivision, as per Resolution VACATION RESOLUTION # is hereby set at \$1,072,172.99.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; MORGAN, ET AL. The following resolution was held over until the regular meeting of November 25, 2025.

RESOLUTION: 60-1473-2025

Sponsored by: Mayor Cheriogotis

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

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER THE VACATION OF AN ALLEY ADJACENT TO 6 SOUTH FRANKLIN STREET (SCHEDULED FOR JANUARY 6, 2026) (DISTRICT 2). The following resolution was introduced by Councilmember Ingram.

RESOLUTION: 41-1474-2025

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

PETITION TO THE MOBILE CITY COUNCIL FOR ITS ASSENT TO THE VACATION OF A PUBLIC ALLEY AT 6 SOUTH FRANKLIN STREET IN THE CITY OF MOBILE, ALABAMA

Comes now the undersigned, **LEMOYNE PROPERTIES, LLC**, an Alabama limited liability company, **CABANA ROYALE, LLC**, an Alabama limited liability company, and **CHEERFUL CREDIT, LLC**, an Alabama limited liability company, as the owners of all of the land abutting a public alley off of 6 South Franklin Street in the City of Mobile, Alabama and described as follows:

See Exhibit A attached hereto and made a part hereof.

Petitioners submit herewith an executed copy of the Declaration of Vacation and respectfully pray that the Mobile City Council adopt a resolution assenting to the same in accordance with the provisions of 23-4-20, Code of Alabama, 1975, as amended.

Your Petitioners herein say and show that said property herein described is an unused city alley, that the Petitioners are the owners of the property abutting said alley, that the vacation of this alley will not deny other property owners of any rights they may have to convenient and reasonable means of ingress and egress to and from their property, and it would be in the best interest of the Mobile City Council to vacate the same.

EXHIBIT A

COM NW COR CONTI & FRANKLIN STS TH NL Y 80 FT(S) TO BEG TH CONT NLY 27 FT(S) TH WLY 110 FT(S) TH SLY 27 FT(S) TH ELY 110 FT(S) TO POB #SEC 40 T4S R1W #MP29 06 40 0 011

MINUTES OF NOVEMBER 18, 2025

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as January 6, 2026.

ANNOUNCEMENTS

Councilmember Penn said that a District 1 community meeting will be held tonight at the Hearin-Chandler Auditorium at Mobile Infirmary from 6:00 p.m. – 7:30 p.m.

Councilmember Penn announced that “Penns-Giving” will be held at Surge Entertainment on November 22, 2025, at 4:00 p.m.

Councilmember Penn introduced “BAKE”(Building, Advancement, Knowledge, and Empowerment), a monthly meetup for your professionals. The first meeting will be held at Great Day Latte on November 25, 2025.

Councilmember Penn stated that a Free Food Distribution giveaway will be held on Wednesday, November 19, 2025, at Ladd Peebles Stadium.

Councilmember Fleming offered comments about the Mayor’s Prayer Breakfast.

Councilmember Ingram gave comments regarding Resolutions 03-1450 and 03-1451.

Councilmember Ingram announced that a District 2 community dinner will be held on Saturday, November 22, 2025, at 1:00 p.m. at Pigs Marathon Tires and Towing.

Councilmember Ingram said that the 8th Annual Campground Thanksgiving Community Food Drive Giveaway will be held on Wednesday, November 25, 2025, at 26 N. Ann Street from 12:00 p.m. – 2:00 p.m.

Councilmember Woods said that Christmas Dance at Connie Hudson Mobile Regional Senior Community Center will be held on December 12, 2025, from 5:00 p.m. – 8:00 p.m.

Councilmember Small stated that the District 3 Christmas celebration will be held on Tuesday, December 9, 2025, at Palmer Pillans Middle School at 6:00 p.m.

Councilmember Small announced that he along with Alabama Representatives, Barbara Drummond and Adline Clarke will host the Parade of 3’s on Saturday, December 13, 2025 at 2:00 p.m.

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

Ayes: Penn, Ingram, Small, Reynolds, Fleming, and Woods

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:28 p.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK