

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 2, 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 December 2, 2025, at 9:00 a.m.

Councilmembers:

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

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.

Ricardo Woods, City Attorney, asked the Council to go into executive session and reconvene at the 10:30 a.m. meeting for the purpose of discussing anticipated litigation moving forward involving the City of Mobile.

Councilmember Gregory moved for the Council to move into executive session and reconvene at the 10:30 a.m. meeting, which was seconded by Councilmember Penn and the vote was as follows:

Penn: Aye
Ingram: Aye
Small: Aye
Reynolds: Aye
Fleming: Aye
Gregory: Aye

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the pre-meeting adjourned into executive session at approximately 9:28 a.m. and to reconvene at the regular meeting as scheduled.

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 25, 2025

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Tuesday, December 2, 2025, at 10:30 a.m., for the regular meeting.

The meeting was called to order by the City Clerk.

Reverend Keith Myrick, Public Safety Chaplain, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: Councilmember Gregory asked for a Moment of Silence in memorial of the recent passing of Ann Bedsole, the first Republican woman in the Alabama House of Representatives.

Present on Roll Call:
Chairman: Small
Vice-Chairman: Gregory
Councilmembers: Penn, Ingram, Reynolds, and Fleming
Absent: Woods

STATEMENT OF RULES BY PRESIDING OFFICER

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

COMMUNICATIONS FROM THE MAYOR

Mayor Cheriogotis offered his condolences to the Bedsole family on the recent passing away of Ann Bedsole.

Mayor Cheriogotis stated that the Downtown Mobile Arena project was on budget and on time with the opening expected in 2027.

Mayor Cheriogotis encouraged citizens to donate non-perishable food items now through December 18th to any Mobile Police Department precinct, or at any Mobile Fire-Rescue station for the Holiday Food Drive.

NOTE: Councilmember Reynolds recognized Mobile Christian School's volleyball team as the back-to-back Class 3A Champions.

NOTE: Councilmember Ingram recognized McGill-Toolen Catholic High School's volleyball team for recently winning the 7A State Championship for the fourth consecutive year in a row.

ADOPTION OF THE AGENDA

Councilmember Penn moved to adopt the agenda, 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 agenda adopted.

APPEALS

Request of Women's Resource Center for a waiver of the Noise Ordinance at 718 Downtowner Loop, West of December 4, 2025, from 5:30 p.m. – 7:30 p.m. (District 5).

Councilmember Gregory moved to adopt the waiver, which was seconded by Councilmember Reynolds 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 Catherine Hunter for a waiver of the Noise Ordinance at 111 Myrtlewood Lane on January 17, 2026, from 7:00 p.m. – 11:00 p.m. (District 7).

Councilmember Gregory moved to adopt the waiver, which was seconded by Councilmember Reynolds 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

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PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CITY OF MOBILE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022.

The Presiding Officer announced that today was the day for the public hearing to consider an ordinance to amend appendix A Downtown Development District, of the City of Mobile Unified Development Code, Chapter 64 of the Mobile City Code, 2022 and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO CONSIDER THE PROPOSED REZONING OF PROPERTY LOCATED AT 2243, 2245, 2345, AND 2509 HALLS MILL ROAD FROM B-3 TO B-5 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to consider the proposed rezoning of property located at 2243, 2245, 2345, and 2509 Halls Mill Road from B-3 to B-5 and asked if there was anyone present to speak for or against this matter.

Casey Pipes, Attorney representative, spoke in favor of the proposed rezoning.

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

PUBLIC HEARING TO CONSIDER THE PROPOSED CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 2574 AND 2664 SOLLIE ROAD TO ALLOW EXPANSION OF A RELIGIOUS FACILITY IN AN R-1 (DISTRICT 6).

The Presiding Officer announced that today was the day for the public hearing to consider the proposed conditional use permit for property located at 2574 and 2664 Sollie Road to allow expansion of a religious facility in an R-1 and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

Mary Pettit, 404 Byron Avenue W., - expressed her concerns that enough isn't being done to protect citizens from dangerous dogs.

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, November 18, 2025, and December 2, 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".

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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.
- (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 table the ordinance, which was seconded by Councilmember Gregory 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 ordinance tabled.

RESOLUTIONS HELD OVER

CONSIDER VACATION OF ALL RIGHTS-OF-WAY LOCATED WITHIN LOT 1 OF MAA-ACDC SUBDIVISION. The following resolution was introduced and read at the regular meeting of November 18, 2025, and was held over until the meetings of November 25, 2025, and December 2, 2025, was called up by the Presiding Officer.

RESOLUTION: 47-1471-2025

Sponsored by: Councilmember Small

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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

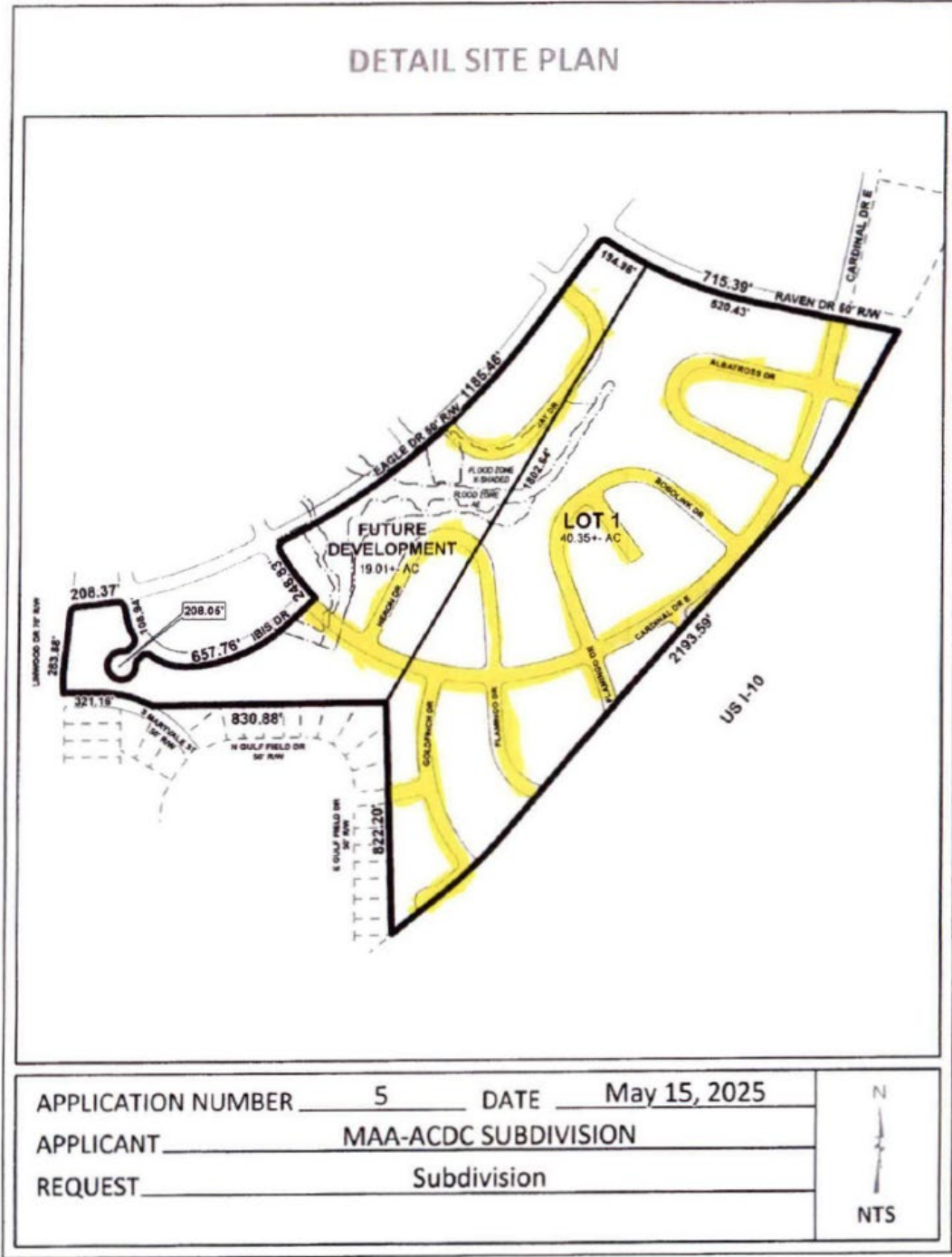
WHEREAS, the same is filed for record herewith;

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:

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



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 Gregory 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 resolution held over for one week until the regular meeting of December 9, 2025.

CONSIDER A VACATION FEE AS CONDITION OF THE VACATION OF RIGHTS-OF-WAY WITHIN LOT 1 OF MAA-ACDS SUBDIVISION. The following resolution was introduced and read at the regular meeting of November 18, 2025, and was held over until the meetings of November 25, 2025, and December 2, 2025, was called up by the Presiding Officer.

RESOLUTION: 47-1472-2025
Sponsored by: Councilmember Small

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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.

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 Gregory 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 resolution held over for one week until the regular meeting of December 9, 2025.

APPROVE PURCHASE ORDER TO EMERGENCY EQUIPMENT PROFESSIONAL, INC. FOR ENGINE REPLACEMENT FOR FIRE PUMPER TRUCK; \$64,050.00. The following resolution which was introduced and read at the regular meeting of November 25, 2025 and was held over until the regular meeting of December 2, 2025, was called up by the Presiding Officer.

RESOLUTION: 08-1490-2025

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, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4295</u>	2026	(1510) FIRE ADMINISTRATION	ENGINE REPLACEMENT FOR 2017 ROSENBAUER FIRE PUMPER TRUCK FOR MFRD (SEALED BID 6009)	\$64,050.00	<u>(294963) EMERGENCY EQUIPMENT PROFESSIONAL, INC</u>

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

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

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

APPROVE PURCHASE ORDER TO GRAYBAR ELECTIC COMPANY, INC. FOR STREET LIGHT LUMINIARIES FOR TRAFFIC ENGINEERING DEPARTMENT; \$147,365.50. The following resolution which was introduced and read at the regular meeting of November 25, 2025 and was held over until the regular meeting of December 2, 2025, was called up by the Presiding Officer.

RESOLUTION: 08-1494-2025

Sponsored by: Mayor Cheriogotis

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4026</u>	2026	(2060) TRAFFIC ENGINEERING	150 COOPER NAVION LED STREET LIGHT LUMINAIRES FOR TRAFFIC ENGINEERING (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$147,365.50	<u>(75199)</u> <u>GRAYBAR</u> <u>ELECTRIC CO INC</u>

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

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

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

APPROVE PURCHASE ORDER TO PRECISION DELTA CORP. FOR CASES OF WINCHESTER AMMUNITION FOR MPD; \$109,177.59. The following resolution which was introduced and read at the regular meeting of November 25, 2025 and was held over until the regular meeting of December 2, 2025, was called up by the Presiding Officer.

RESOLUTION: 08-1500-2025

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, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
3552, 3553, 3554	2026	1530	601 CASES WINCHESTER 9MM TRAINING AND DUTY AMMUNITION FOR MPD (AL STATE CONTRACT)	\$109,177.59	<u>(293984)</u> <u>PRECISION</u> <u>DELTA CORP</u>

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

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

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

AUTHORIZE CONTRACT WITH THE ADVISORY COUNSEL FOR THE SOUTH ALABAMA HOME BUILDING ACADEMY, INC. FOR WORKFORCE DEVELOPMENT; \$100,000.00. The following resolution which was introduced and read at the regular

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meeting of November 25, 2025 and was held over until the regular meeting of December 2, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1501-2025

Sponsored by: Mayor Cheriogotis and Councilmember Reynolds

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Performance Contract with the Advisory Counsel for the South Alabama Home Building Academy, Inc. in the amount of \$100,000.00 for use in providing free trade skills training for workforce development in Mobile County, Alabama as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory 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 resolution adopted.

AUTHORIZE CONTRACT WITH BOUNDTREE MEDICAL FOR MEDICAL GLOVES FOR VARIOUS CITY DEPARTMENTS FOR 3 YEARS; NTE \$3,000,000.00. The following resolution which was introduced and read at the regular meeting of November 25, 2025 and was held over until the regular meeting of December 2, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1502-2025

Sponsored by: Mayor Cheriogotis

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

Bid	Description	Number of Items	Bid Amount	Time/Renewal	Vendor(s)
<u>6007</u>	Nitrile gloves	4	See bid tab	One year, renewable for two additional one-year periods.	<u>(25406) Bound Tree Medical LLC.</u>

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

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

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

AUTHORIZE CONTRACT WITH MID-WESTERN COMMERCIAL ROOFERS, INC. FOR HARMON RECREATION CENTER RE-ROOFING; \$254,720.00. The following resolution which was introduced and read at the regular meeting of November 25, 2025 and was held over until the regular meeting of December 2, 2025, was called up by the Presiding Officer.

RESOLUTION: 21-1503-2025

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, 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: MID-WESTERN COMMERCIAL ROOFERS, INC.

Project Name: HARMON RECREATION CENTER – RE-ROOFING

Project Number: PR-057-23

Amount: \$254,720.00

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

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

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; BATES. The following resolution which was introduced and read at the regular meeting of November 25, 2025 and was held over until the regular meeting of December 2, 2025, was called up by the Presiding Officer.

RESOLUTION: 60-1504-2025

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 Karl Bates, 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.

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

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

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; RODGERS.

The following resolution which was introduced and read at the regular meeting of November 25, 2025 and was held over until the regular meeting of December 2, 2025, was called up by the Presiding Officer.

RESOLUTION: 60-1505-2025

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 Josephine Rodgers, 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.

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

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

Nays: None

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

ORDINANCES BEING INTRODUCED

CONSIDER AN ORDINANCE TO AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CITY OF MOBILE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022. The following ordinance was held over until the regular meeting of December 9, 2025.

ORDINANCE: 64-058-2025

Sponsored by: Mayor Cheriogotis and Councilmember Ingram

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the "DDD Code" set forth in Appendix A of the Unified Development Code, Chapter 64, adopted by the Mobile City Council on July 12, 2022 (Ordinance 64-017-2022) be, and the same hereby is, amended so that it now reads in full as set forth in the attached.

The amendment of Appendix A, the DDD Code set forth in the Unified Development Code, Chapter 64, shall be effective upon adoption and publication as required by law.

CONSIDER THE PROPOSED REZONING OF PROPERTY LOCATED AT 2243, 2245, 2345, AND 2509 HALLS MILL ROAD FROM B-3 TO B-5. The following ordinance was held over until the regular meeting of December 9, 2025.

ORDINANCE: 64-059-2025

Sponsored by: Councilmember Small

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

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

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

THAT REAL PROPERTY SITUATED IN THE COUNTY OF MOBILE, STATE OF ALABAMA, DESCRIBED AS FOLLOWS, TO-WIT:

PARCEL A

TO FIND THE POINT OF BEGINNING, BEGIN AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 1 WEST, AND RUN EAST ALONG THE NORTH LINE OF SAID SECTION 32, 2573 FEET TO A POINT; THENCE RUN SOUTH ALONG A LINE AT RIGHT ANGLES TO THE NORTH LINE OF SAID SECTION 32, 847.1 FEET TO A POINT ON THE EAST OR SOUTHEAST LINE OF THE RIGHT OF WAY OF HALLS MILL ROAD, WHICH POINT IS THE SOUTHWEST CORNER OF THE PROPERTY OF THE HEIRS OF W. H. ROWELL, AND THAT POINT OF BEGINNING OF THE LOT HEREIN DESCRIBED. FROM THE POINT OF BEGINNING THENCE RUN SOUTH 45 DEGREES, 45 MINUTES WEST ALONG THE SOUTHEAST LINE OF HALLS MILL ROAD 708.5 FEET TO A POINT; THENCE SOUTH 74 DEGREES EAST 830 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE OLD MOBILE AND BAY SHORE RAILROAD; THENCE NORTHWARDLY ALONG THE WEST RIGHT-OF-WAY LINE OF THE OLD MOBILE AND BAY SHORE RAILROAD 762 FEET, MORE OR LESS, TO A POINT ON THE SOUTH PROPERTY LINE OF THE PROPERTY OF THE HEIRS OF W. H. ROWELL; THENCE NORTH 86 DEGREES WEST ALONG THE SOUTH LINE OF SAID PROPERTY OF THE HEIRS OF W. H. ROWELL (FOLLOWING AN OLD DITCH AND FENCE LINE) 581 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; AND BEING PART OF THE PROPERTY CONVEYED BY HELEN R. MEAHER AND AUGUSTINE MEAHER, JR., TO HELEN R. MEAHER, AS TRUSTEE UNDER THE WILL OF AUGUSTINE MEAHER, DECEASED, AS PER MAP OF OLIVER C. HUME DATED MARCH 15, 1942. LESS AND EXCEPT ANY PORTION OF SAID PROPERTY LOCATED IN CROSS POND SUBDIVISION, FIRST ADDITION, AS RECORDED IN MAP BOOK 78, PAGE 26, IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

PARCEL B

TO FIND THE POINT OF BEGINNING, BEGIN AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 1 WEST, AND RUN EAST ALONG THE NORTH LINE OF SAID SECTION 32, 2573 FEET TO A POINT; THENCE RUN SOUTH ALONG A LINE AT RIGHT ANGLES TO THE NORTH LINE OF SAID SECTION 32, 847.1 FEET TO A POINT ON THE EAST OR SOUTHEAST LINE OF THE RIGHT-OF-WAY OF HALLS MILL ROAD, WHICH POINT IS THE SOUTHWEST CORNER OF THE PROPERTY OF THE HEIRS OF W. H. ROWELL; THEN RUN SOUTH 45 DEGREES, 45 MINUTES WEST ALONG THE SOUTHEAST LINE OF HALLS MILL ROAD 708.5 FEET TO A POINT WHICH IS THE POINT OF BEGINNING. FROM THAT POINT OF BEGINNING RUN SOUTH 74 DEGREES EAST 830 FEET, MORE OR LESS, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE OLD MOBILE AND BAY SHORE RAILROAD; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF THE OLD MOBILE AND BAY SHORE RAILROAD 200 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF PROPERTY FORMERLY OF J.A. M. FARNELL (NOW LOUISE FARNELL); THENCE NORTH 74 DEGREES WEST 921 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HALLS MILL ROAD; THENCE NORTHEAST ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF HALLS MILL ROAD 230 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL C

FROM A POINT WHERE THE SECTION LINE BETWEEN SECTIONS 29 AND 32, TOWNSHIP 4 SOUTH, RANGE 1 WEST, INTERSECTS THE EASTERLY RIGHT-OF-WAY LINE OF HALLS MILL ROAD; THENCE RUN SOUTHWESTWARDLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF HALLS MILL ROAD 1136.90 FEET FOR THE PLACE OF BEGINNING OF THE LOT HEREIN DESCRIBED; THENCE CONTINUE SOUTHWESTWARDLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF HALLS MILL ROAD 60 FEET TO THE SOUTHWEST CORNER OF PROPERTY HERETOFORE CONVEYED BY MOBILE COLD STORAGE AND LOCKER PLANT, INC. TO BROWN'S

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VELVET ICE CREAM COMPANY, BY DEED DATED MAY 8, 1950 AND RECORDED IN DEED BOOK 503, N.S., PAGE 101 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE OF MOBILE COUNTY, ALABAMA; THENCE RUNNING EASTWARDLY ALONG A LINE FORMING AN INTERIOR ANGLE WITH THE EASTERLY RIGHT-OF-WAY LINE OF HALLS MILL ROAD OF 47 DEGREES, 46 MINUTES, 30 SECONDS (SAID LINE BEING ALSO THE SOUTH LINE OF SAID PROPERTY SO CONVEYED BY MOBILE COLD STORAGE AND LOCKER PLANT, INC. TO BROWN'S VELVET ICE CREAM COMPANY; 89.28 FEET TO A POINT; THENCE RUN NORTHWESTARDLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 42 DEGREES; 13 MINUTES, 30 SECONDS WITH THE LINE LAST DESCRIBED, 66.11 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF HALLS MILL ROAD AND THE PLACE OF BEGINNING. ALL OF SAID MEASUREMENTS BEING ACCORDING TO SURVEY BY JOSEPH W. LUQUIRE, JR. DATED FEBRUARY 21, 1953, AND BEING A PART OF THE SAME PROPERTY CONVEYED BY MOBILE COLD STORAGE AND LOCKER PLANT, INC., TO BROWN'S VELVET ICE CREAM COMPANY, DATED MAY 8, 1950, AND RECORDED AS AFORESAID.

LESS AND EXCEPT ANY PORTION OF SAID PROPERTY LOCATED IN CROSS POND SUBDIVISION, FIRST ADDITION, AS RECORDED IN MAP BOOK 78, PAGE 26, IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABMA.

The classification of said property is hereby change from Community Business Suburban District (B-3) to Office Distribution District (B-5), and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a B-5, Office Distribution District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of, July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-5, Office Distribution District, until all of the condition set forth below has been complied with: 1. Full compliance with all municipal codes and ordinances.

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

CONSIDER THE PROPOSED CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 2574 AND 2664 SOLLIE ROAD TO ALLOW EXPANSION OF A RELIGIOUS FACILITY IN AN R-1. The following ordinance was held over until the regular meeting of December 9, 2025.

ORDINANCE: 64-060-2025

Sponsored by: Councilmember Woods

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

WHEREAS, a Conditional Use Permit application was filed on September 10, 2025, to allow expansion of a religious facility in an R-1, Single-Family Residential Suburban District, located at 2574 & 2664 Sollie Road and described as follows:

LOT 1, LUKE 4:18 FELLOWSHIP AS RECORDED IN MAP BOOK 126, PAGE 100 IN THE RECORDS OF THE OFFICE OF THE JUDGE OF PROBATE MOBILE COUNTY, ALABAMA.

AND

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BEGINNING AT THE NORTHWEST CORNER OF LOT 1 LUKE 4:18 FELLOWSHIP (MB 126, PG 100); THENCE RUN SOUTH 00°20'55" WEST ALONG THE WEST LINE OF LUKE 4:18 FELLOWSHIP, A DISTANCE OF 528.23 FEET TO A POINT; THENCE RUN NORTH 89°36'55" EAST A DISTANCE OF 12.88 FEET TO A POINT; THENCE RUN SOUTH 02°17'51" WEST A DISTANCE OF 36.01 FEET TO A POINT; THENCE RUN SOUTH 89°28'40" WEST A DISTANCE OF 59.78 FEET TO A POINT; THENCE RUN SOUTH 02°20'05" WEST A DISTANCE OF 56.81 FEET TO A POINT; THENCE RUN NORTH 88°09'10" WEST A DISTANCE OF 310.98 FEET TO A POINT; THENCE RUN NORTH 00°17'54" EAST A DISTANCE OF 106.40 FEET TO A POINT; THENCE RUN NORTH 00°06'33" EAST A DISTANCE OF 503.39 FEET TO A POINT; THENCE RUN SOUTH 89°57'04" EAST A DISTANCE OF 209.91 FEET TO A POINT; THENCE RUN NORTH 89°20'17" EAST A DISTANCE OF 153.46 FEET TO THE POINT OF BEGINNING.

WHEREAS, the Planning Commission held a public hearing on the requested Conditional Use Permit on October 16, 2025, and recommended approval of the Conditional Use Permit subject to the following conditions:

1. Revision of the site plan to provide a public sidewalk and pedestrian connection or obtaining of a Sidewalk. Waiver;
2. Revision of the site plan to provide a residential buffer along the South property line in compliance with Section 64-3-8 of the Unified Development Code;
3. Revision of the site plan to provide pedestrian safety aisles within the parking lot;
4. Provision of a photometric lighting plan when submitting for Land Disturbance permits; and
5. Submittal to and approval by Planning and Zoning of a revised site plan prior to the application being submitted to the City Council for consideration.

WHEREAS, the City Council finds that the Conditional Use Permit request:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property; and
4. Having considered the applicable factors, the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood or be more injurious to property or improvements in the neighborhood.
5. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
6. Is designed to minimize the impact on storm water facilities;
7. Will be adequately served by water and sanitary sewer services;
8. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
9. Shall not be detrimental to or endanger the public health, safety or general welfare.
10. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

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

Section One: That the Conditional Use Permit is hereby approved with the following required conditions:

1. Revision of the site plan to provide a public sidewalk and pedestrian connection, or obtaining of a Sidewalk Waiver;
2. Revision of the site plan to provide a residential buffer along the South property line in compliance with Section 64-3-8 of the Unified Development Code;
3. Revision of the site plan to provide pedestrian safety aisles within the parking lot;
4. Provision of a photometric lighting plan when submitting for Land Disturbance permits; and

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5. Submittal to and approval by Planning and Zoning of a revised site plan prior to the application being submitted to the City Council for consideration.

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

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Reynolds moved for the suspension of the rules to consider consent resolutions 37-1510 through 58-1511 being introduced for the first time. The motion was seconded by Councilmember Gregory and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

RECOMMEND APPROVAL TO THE ABC BOARD OF ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO MURPHY USA. The following resolution was introduced by Councilmember Reynolds

ORDINANCE: 37-1510-2025

Sponsored by: Councilmember Woods

BE IT RESOLVED BY THE CITY OUNCIL OF1MOBILE, ALABAMA, that the following application to the Alabama Alcoholic Beverage Control Board of the State of Alabama, is hereby recommended for grant of such license by said Board.

Type of application: Retail Beer/Table Wine (Off Premises Only) License

Submitted by: Murphy Oil USA, Inc.

Location: Murphy USA 7988
7081 Airport Boulevard
Mobile, Al 36608

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

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

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

FIX COSTS FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP 95. The following resolution was introduced by Councilmember Reynolds

ORDINANCE: 58-1511-2025

RESOLUTION ASSESSING THE COST OF REMOVAL OF NOXIOUS OR DANGEROUS WEEDS IN FRONT OF OR ON CERTAIN PARCELS OF LAND IN THE CITY OF MOBILE, ALABAMA.

WHEREAS, an itemized report.in writing has been made to the City Council of Mobile, showing the costs of removing noxious or dangerous weeds on or in front of the hereinafter described parcels of land, a copy of such report having first been posted on the Council Chamber door more than three days prior to the meeting at which the report was received, and the City Council having heard the report, together with any objections which may have been raised by any of the property owners liable to be assessed for the work of culling

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such weeds, and the City Council being of the opinion that such report in all respects be confirmed.

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL OF MOBILE as follows:

Section 1. The amount set opposite each described parcel of real property contained in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as **Repeat Weed Lien Group 95** shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

Section 2. It is directed that a copy of this resolution be delivered to the Tax Collector of the City of Mobile, and it shall be his duty to add the amounts of the above respective assessments to the next regular bills for ad valorem taxes levied against the said respective lots and parcels of land for municipal purposes, and such amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and same procedure on foreclosure and sale as in the case of delinquency as provided for ordinary ad valorem taxes.

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

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

Nays: None

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

RESOLUTIONS BEING INTRODUCED

ACCEPT TEMPORARY CONSTRUCTION EASEMENTS FOR MISC. DRAINAGE REPAIRS FOR TOULMINS SPRING BRANCH EAST OF WILSON AVENUE. The following resolution was held over until the regular meeting of December 9, 2025.

RESOLUTION: 25-1512-2025

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby accepts the following temporary construction easement for the Project Number 2024-3005-19, Miscellaneous Drainage Repairs Part 2, Toulmins Spring Branch East of Wilson Avenue:

1. Temporary Construction Easement from Matthew W. Johnson, LLC, 929 Wilson Avenue South.

SAID document with sketch being attached hereto and made a part hereof as fully as if set forth herein.

ANNOUNCEMENTS

Councilmember Penn said that "Penns-Giving" was a great success and thanked the staff and everyone involved for all their hard work.

Councilmember Penn offered comments about the Toulminville parade.

Councilmember Ingram offered her condolences to the Bedsole Family on the passing of

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Ann Bedsole.

Councilmember Ingram announced that the Inaugural District 2 All Communities Holiday Celebration Meeting will be held on Thursday, December 4, 2025 at 6:30 p.m. at the VIA Health Center.

Councilmember Ingram reminded citizens that December 30, 2025 is the deadline to participate in the District 2 survey in her newsletter.

Councilmember Ingram thanked all the District 2 partners that helped to feed residents for the Thanksgiving Holiday.

Councilmember Reynolds offered comments regarding Resolution 21-501.

Councilmember Fleming announced that a District 5 Christmas community meeting will be held on Wednesday, December 10, 2025, at 6:00 p.m. at E.R. Dickson Elementary School Gym.

Councilmember Gregory thanked the staff for helping to make the District 7 Annual Christmas meeting at the Mobile Museum of Art a great success.

Councilmember Gregory announced that the 2025 Holiday Market at the Mobile Botanical Gardens will be held on December 5-6, 2025, from 9:00 a.m. – 3:00 p.m.

Councilmember Gregory announced that the 2025 Holiday Market and Open House at the Mobile Museum of Art will be held on December 13, 2025, from 1:00 p.m. – 5:00 p.m.

Councilmember Gregory congratulated the Mobile Municipal Raiders youth football team for winning a State championship.

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 Gregory 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 regular meeting adjourned at approximately 11:10 p.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK