

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 9, 2025

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

Councilmembers:

Present: Penn, Ingram, Small, Reynolds, Fleming, Woods, and Gregory
Absent: None

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

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 9, 2025

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

The meeting was called to order by the City Clerk.

Father Dan Good, Public Safety Chaplain, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Small
Vice-Chairman: Gregory
Councilmembers: Penn, Ingram, Reynolds, Fleming, and Woods
Absent: None

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 25 and December 2, 2025, was approved as submitted.

COMMUNICATIONS FROM THE MAYOR

Mayor Cheriogotis stated that the City of Mobile will be joining several other Alabama municipalities in a major lawsuit against the Alabama Department of Revenue over the State’s handling of the Simplified Sellers Use Tax.

Mayor Cheriogotis offered comments about the rental agreement with the Mobile County Commission for Mobile Government Plaza.

Mayor Cheriogotis announced that the grand re-opening of S. McGregor Avenue will be held on Thursday, December 11, 2025.

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ADOPTION OF THE AGENDA

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

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

Nays: None

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

APPEALS

Request of Fast Time Tax & Angel Wings for a waiver of the Noise Ordinance at 2301 Airport Boulevard on December 21, 2025, from 10:00 a.m. – 6:00 p.m. (District 5/new District 2).

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

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

Nays: None

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

Request of Hargrove and Associates, Inc. for a waiver of the Noise Ordinance at 109 Government Street on May 21, 2026, from 5:00 p.m. – 8:00 p.m. (District 2).

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

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

Nays: None

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

Request of Ron Olmsted for a waiver of the Noise Ordinance at Medal of Honor Park on September 12, 2026, from 9:00 a.m. – 1:00 p.m. (District 6).

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

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

Nays: None

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

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

Non-Agenda Items

Christopher Paragone, 63 Midtown Park East – proposal to partner with the City on a new performing arts facility to fill the gap left by the loss of the Civic Center.

Brenda Barnes, P.O. Box 180614 Mobile, AL – comments about a rezoning request on MLK, Jr. Avenue and cement pillars placed throughout Pleasant Avenue and Toulminville communities.

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Roy Pendleton, 1830 St. Charles Avenue – were residents notified about the cement pillars placed on Pleasant Avenue and what is the purpose?

Agenda Items

Reggie Hill, Mobile, Al, gave comments regarding Ordinance 64-058 and Resolutions 03-1514 and 60-1521.

ORDINANCES HELD OVER

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

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.

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

Councilmember Ingram moved to hold the ordinance over until January 6, 2026, which was seconded by Councilmember Reynolds and the vote was as follows:

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance held over until the regular meeting of January 6, 2025.

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

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:

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:

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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 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 NORTHWESTWARDLY

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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, ALABAMA.

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.

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

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

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

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

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.

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AND

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;

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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.

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

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

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

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

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, December 2, 2025, and December 9, 2025 was called up by the Presiding Officer.

RESOLUTION: 47-1471-2025

Sponsored by: Mayor Cheriogotis

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;

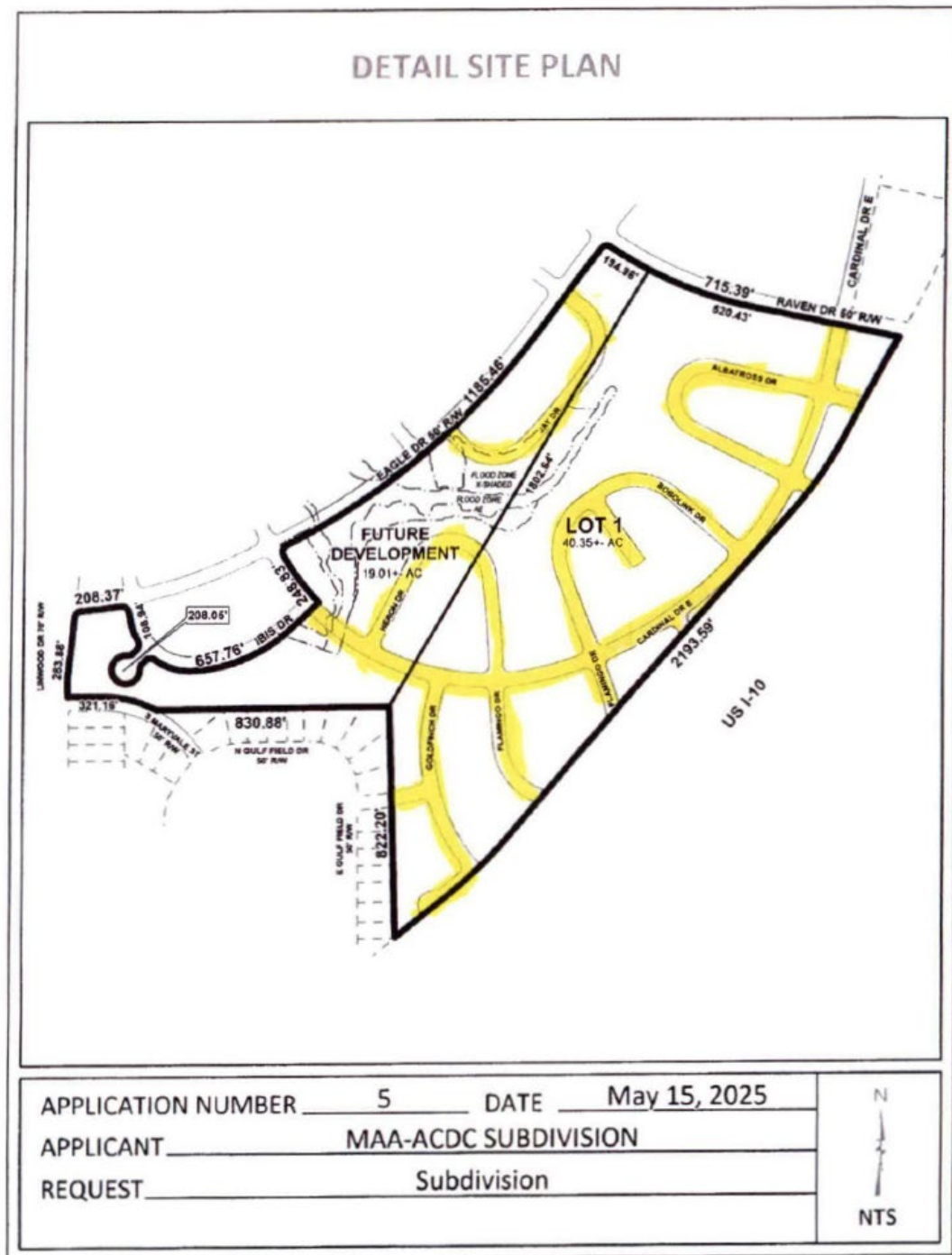
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NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the undersigned, as the sole owner of the lands, hereby declares said land to be vacated under the authority of §23- 4-20, Code of Alabama, 1975, as amended. This declaration of Vacation of said 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 Reynolds moved to adopt the resolution, which was seconded by Councilmember Woods

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Councilmember Reynolds moved to amend the resolution as follows:

WHEREAS, Mobile Airport Authority, an Alabama corporation, as the sole owner of all the land abutting all right of ways within Lot 1 MAA-ACDC Subdivision located in the City of Mobile, Alabama, has requested the Mobile City Council to assent to the vacation and closing by it as the owner of such property; and

WHEREAS, it has been shown to the satisfaction of the Mobile City Council that the Mobile Airport Authority owns all the land abutting all right of ways within Lot 1, MAA-ACDC

Subdivision, that the same is not needed as public right of ways in the City of Mobile, Alabama, that the vacation of same will not deprive any other property owners of such right as such property owners may have to convenient and reasonable ingress and egress to and from such other property, and that it would be to the interest of the Mobile City Council to vacate the same; and

WHEREAS, said owner has consented to this vacation;

NOW, THEREFORE, BE IT RESOLVED, by the Mobile City Council, that its assent be, and it is hereby given to the Mobile Airport Authority as the sole owner of all the land abutting all right of ways within Lot 1, MAA-ACDC Subdivision, to the vacation and closing by it of the following described right of ways, more particularly described as follows:

See Exhibit A attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, by the Mobile City Council, that its assent be and the same hereby is, given to vacate and annual the herein described right of ways located Mobile, Alabama, subject, however, 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 owner;

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.

The move was seconded by Councilmember Gregory and the vote was as follows:

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

Nays: None

Abstain: Small

The Presiding Officer declared the amendment adopted.

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

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

Nays: Small

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

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, December 2, 2025, and December 9, 2025 was called up by the Presiding Officer.

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RESOLUTION: 47-1472-2025

Sponsored by: Mayor Cheriogotis

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 Reynolds moved to adopt the resolution, which was seconded by Councilmember Penn

Councilmember Reynolds moved to amend the resolution as follows:

BE IT RESOLVED by the City Council of the City of Mobile that the vacation fee for the vacation of all rights-of-way located within Lot 1 of MAA-ACDC Subdivision, including Albatross Drive, Bobolink Drive, Cardinal Drive, East, Flamingo Drive, Goldfinch Drive, Heron Drive, and Jay Drive, as per Resolution **47-1471** is hereby set at \$432,910.32.

NOW THEREFORE, BE IT FURTHER RESOLVED that after consideration by the Council, the Council determines that waiver of the vacation fee for the vacation of all rights-of-way located within Lot 1 of MAA-ACDC Subdivision, including Albatross Drive, Bobolink Drive, Cardinal Drive, East, Flamingo Drive, Goldfinch Drive, and Heron Drive, as per Resolution **47-1471** is justified and warranted under the circumstances presented, and is therefore waived.

The move was seconded by Councilmember Penn and the vote was as follows:

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

Nays: None

Abstain: Small

The Presiding Officer declared the amendment adopted.

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

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

Nays: Small

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

ACCEPT TEMPORARY CONSTRUCTION EASEMENTS FOR MISC. DRAINAGE REPAIRS FOR TOULMINS SPRING BRANCH EAST OF WILSON AVENUE. The following resolution which was introduced and read at the regular meeting of December 2, 2025, and was held over until the regular meeting of December 9, 2025, was called up by the Presiding Officer.

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.

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

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

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

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

Councilmember Gregory moved for the suspension of the rules to consider consent resolutions 03-1513 through 60-1522 being introduced for the first time. The motion was seconded by Councilmember Reynolds and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

APPOINT CATHERINE O'KEEFE TO THE CITIZENS PARKS AND RECREATION ADVISORY COMMITTEE.

The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-1513-2025

Sponsored by: Councilmember Fleming

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Catherine O'Keefe is appointed to the Citizens Parks and Recreation Advisory Committee effective immediately for a term ending December 9, 2027.

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

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

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

APPOINT KATELANNE FADALLA TO THE MOBILE HOUSING AUTHORITY BORD.

The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-1514-2025

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor's appointment of Katelyn Fadalla to fill the expired term of Russell Mitchell on the Mobile Housing Authority Board for a term effective December ____, 2025 through August 31, 2030, is hereby approved and confirmed.

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

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

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Nays: None

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

RECEOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO OLD SHELL; 6567 OLD SHELL ROAD. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-1515-2025

Sponsored by: Councilmember Gregory

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

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

Submitted by: Saga Mobile, Inc.

Location: Old Shell
6567 Old Shell Road
Mobile, Al 36608

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

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

Nays: None

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

DECLARE WEEDS NOXIOUS, WEED LIEN GROUP 1673. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-1516-2025

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

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

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

SECTION 1: It has been determined by the City Council of Mobile that the weeds growing on the privately owned lots or parcels of land described in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part thereof as though set forth in full, known as **Group #1673** under the caption "NOXIOUS OR DANGEROUS WEEDS GROWING ON PROPERTY," are noxious and dangerous, and such weeds are hereby declared to be public nuisances. The properties upon which such weeds are growing are

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all located within the corporate limits of the City of Mobile, about the streets referred to in the description which are more particularly described in said Exhibit "A."

SECTION 2: The weeds growing on or in front of the above-described parcels of property shall be abated by the removal of such noxious or dangerous weeds or they will be removed and the nuisances abated by the City of Mobile, in which case the cost of such removal will be assessed against the respective parcels of lands from which such weeds are removed, and such cost will constitute a lien upon such respective parcels of land until paid. A public meeting is hereby called to be held in the Auditorium of the Mobile Government Plaza, 205 Government Street, Mobile, Alabama, on the 13th day of January, 2026, at ten thirty a.m., for the purpose of hearing any objections to the declarations contained in this resolution and to the proposed removal of such weeds, at which time all objections will be heard and given due consideration by the City Council of Mobile; and it is directed that there shall be conspicuously posted in front of each parcel of property, a notice headed "NOTICE TO DESTROY WEEDS," such heading to be in words not less than one inch in height and substantially in the form set out in such Act No. 329, approved April 29, 1988.

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

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

Nays: None

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

ASSESS COSTS FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP #94. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-1517-2025

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 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 94** 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

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

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

Nays: None

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

APPROVE AWARD OF SPECIAL BONUS TO THE PUBLIC WORKS EMPLOYEE OF THE MONTH; JOHNSON. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1518-2025

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 to the following employee:

December 2025 – Labarron Johnson (Employee #13130) Public Works (Public Services)

This employee is to be commended for their exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

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

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

Nays: None

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

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

RESOLUTION: 60-1519-2025

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:

November 2025: Officer Jayland Parnell

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.

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

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

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

DETERMINE AN APPROPRIATION TO THE VILLAGE COMMUNITY MENTAL HEALTH PROGRAM SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1520-2025

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate \$1,000.00 to Toulminville Rattlers, from the District 1 Discretionary Fund (10041020 42080); and

WHEREAS, to Toulminville Rattlers, 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 Toulminville Rattlers will be used to assist with youth football team awards banquet at TopGolf.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,000.00 to Toulminville Rattlers, 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 Gregory moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

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

DETERMINE AN APPROPRIATION TO THE TOULMINVILLE RATTLETS SERVES A PULBIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1521-2025

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate \$1,000.00 to Toulminville Rattlers, from the District 1 Discretionary Fund (10041020 42080); and

WHEREAS, to Toulminville Rattlers, is an Alabama non-profit corporation which provides a service to the community; and

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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 Toulminville Rattlers, will be used to assist with youth football team awards banquet at TopGolf.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,000.00 to Toulminville Rattlers, 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 Gregory moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

Nays: None

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

DETERMINE AN APPROPRIATION TO THE MOBILE COUNTY PUBLIC SCHOOL SYSTEM, DIVISION OF TEACHING, LEARNING, AND ASSESSMENT SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1522-2025

Sponsored by: Councilmember Fleming

WHEREAS, Councilmember Fleming wishes to appropriate \$1,500.00 to Mobile County Public School System, Division of Teaching, Learning, and Assessment, from District 1 Discretionary Funds (10041020 42080); and

WHEREAS, Mobile County Public School System, Division of Teaching, Learning, and Assessment, 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 Mobile County Public School System, Division of Teaching, Learning, and Assessment, will be used to assist with the upcoming South Alabama History Day 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 \$1,500.00 to Mobile County Public School System, Division of Teaching, Learning, and Assessment 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 Gregory moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider resolutions 08-1523, 08-1524, 08-1525, 08-1526, 08-1527 and 21-1528 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, Woods, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO B & L CABLE CONSTRUCTION, LLC FOR FIBER OPTIC INSTALLATION AT MAITRE PARK; \$21,725.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-1523-2025

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
4424	2026	(5000) INFORMATION TECHNOLOGY	FIBER OPTIC INSTALLATION AT MAITRE PARK (SEALED BID 5966)	\$21,725.00	(284224) B & L CABLE CONSTRUCTION LLC

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

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

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

APPROVE PURCHASE ORDER TO CDW GOVERNMENT, LLC FOR FIBER OPTIC TRANSCEIVER MODULES FOR MIT; \$27,362.40. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-1524-2025

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:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4872</u>	2026	(5000) INFORMATION TECHNOLOGY	FOUR HPE ARUBA FIBER OPTIC SFP TRANSCEIVER MODULES FOR INFORMATION TECHNOLOGY (PRICE BELOW BID REQUIREMENT, SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$27,362.40	<u>(272932) CDW GOVERNMENT LLC</u>

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

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

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

APPROVE PURCHASE ORDER TO GRAYBAR ELECTRIC COMPANY, INC. FOR UTILITY ACCESS BOXES FOR FIBER OPTIC SECURITY CAMERAS; \$22,283.28. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-1525-2025

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>4865</u>	2026	(5000) INFORMATION TECHNOLOGY	24 POLYMER CONCRETE HANDHOLE UTILITY ACCESS BOXES FOR FIBER OPTIC SECURITY CAMERA INSTALLATIONS (PRICE BELOW BID REQUIREMENT; OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$22,283.28	<u>(75199) GAYBAR ELECTRIC CO INC</u>

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

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

APPROVE PURCHASE ORDER TO LAGNIAPPE ANNUAL WEEKLY ADVERTISING 2026 PARKS & RECREATION EVENTS; \$15,610.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-1526-2025

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>4799</u>	2026	(4010) SPECIAL EVENTS	ANNUAL WEEKLY ADVERTISING IN LANGIAPPE FOR 2026 FOR MPRD EVENTS DIVISION (PRICE BELOW BID REQUIREMENT)	\$15,610.00	<u>(277578)</u> <u>LAGNIAPPE</u>

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

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

Nays: None

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

APPROVE PURCHASE ORDER TO SCHAEFER PLASTICS NORTH AMERICA, LLC, FOR GARBAGE CARTS FOR SANITATION DEPARTMENT; \$42,443.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-1527-2025

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:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3917</u>	2026	(2090B) GARBAGE COLLECTION	793 95-GALLON GARBAGE CARTS FOR GARBAGE COLLECTION (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$42,443.00	(297915) <u>SCHAEFER</u> <u>PLASTICS NORTH</u> <u>AMERICA, LLC</u>

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

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

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

AUTHORIZE CONTRACT WITH ADVANCED PROPERTY EXPOSURE US, CORPORATION FOR MFRD RECORDS MANAGEMENT; \$16,800.00 PER YEAR. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 21-1528-2025

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 Advanced Property eXposure US Corp, for three year, renewable for two additional one-year periods without further City Council Approval, in the amount of \$16,800.00 per year, as appropriated funds are available, for Fire Department record management software, as outlined in the contract attached hereto and made a part thereof 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 Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

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

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

GRANT A PERMANENT EASEMENT TO ALABAMA POWER TO PROVIDE SERVICE TO THE MOBILE ARENA FROM CANAL STREET. The following resolution was held over until the regular meeting of December 16, 2025.

RESOLUTION: 25-1529-2025

Sponsored by: Mayor Cheriogotis and Councilmember Ingram

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY 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, an easement to ALABAMA POWER COMPANY as set out in W.E. #A655306BO24, a copy of which is attached hereto

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and made a part hereof as though fully set forth herein, for and in consideration of the sum of ONE AND NO/100 (\$1.00) DOLLARS, needed for ALABAMA POWER COMPANY to provide service to the Mobile Arena, from Canal Street, as shown in yellow on attached drawing.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER THE PROPOSED REZONING OF PROPERTY LOCATED AT 7125 BELLINGRATH ROAD FROM R-1 TO B-4 (SCHEDULED FOR JANUARY 13, 2026) (DISTRICT 4). The following resolution was introduced by Councilmember Woods.

RESOLUTION: 41-1530-2025

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 amendment to the Zoning Ordinance 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 amendment.

Notice of Public Hearing for the Proposed Rezoning for Property Located at 7125 Bellingrath Road

Pursuant to Resolution of the Mobile, Alabama City Council adopted December 9, 2025, a public hearing will be held on the 13th day of January, 2026, at 10:30 a.m., to consider adoption of an ordinance for the rezoning for property located at 7125 Bellingrath Road from R-1, Single-Family Residential Suburban District, to B-4, General Business District.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant and may take other actions allowed by law.

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

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

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

A PORTION OF LOT 2-B-2, A RESUBDIVISION OF LOT 2B, RESUBDIVISION OF LOT 2 RESUBDIVISION OF PARCEL A, FIRST BAPTIST CHURCH OF THEODORE AS RECORDED IN INSTRUMENT #2024056921 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CRIMP TOP IRON FOUND AT THE SOUTHEAST CORNER OF SAID LOT 2-B-2, THENCE RUN N04°23'58"W, 242.48 FEET TO A CRIMP TOP IRON FOUND; THENCE RUN N89°19'45"W, 275.00 FEET TO A CAPPED REBAR FOUND; THENCE RUN N0°51'10"W, 179.76 FEET TO A CAPPED REBAR FOUND; THENCE RUN N63°00'27"W, 100.00 FEET TO A CAPPED REBAR FOUND; THENCE RUN S72°40'37"W, 304.10 FEET TO A CAPPED REBAR SET; THENCE RUN S0°59'14"E, 90.00 FEET TO A CAPPED REBAR SET; THENCE RUN S89°00'45"W, 99.97 FEET TO A CAPPED REBAR SET ON THE EAST RIGHT-OF-WAY LINE OF BELLINGRATH ROAD; THENCE RUN S01°01'00"E, ALONG SAID RIGHT-OF-WAY LINE, 273.79 FEET TO A CAPPED REBAR FOUND AT THE SOUTHWEST CORNER OF SAID LOT 2-B-2;

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THENCE RUN S88°57'00"E, 769.35 FEET TO THE POINT OF BEGINNING, CONTAINING 5.86 ACRES, MORE OR LESS.

The classification of said property is hereby changed from Single-Family Residential Suburban District (R-1) to Commercial Warehouse District (CW), 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 CW, 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 an CW, until all of the conditions set forth below have been complied with: 1. Completion of the Subdivision process; 2. Compliance with the associated Voluntary Conditions and Use Restrictions, as revised for the CW, Commercial Warehouse District, zoning classification; 3. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and, 4. Full compliance with all municipal codes and ordinances.

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

Councilmember Woods then moved to call for the public hearing, which move was seconded by Councilmember Gregory and following comments from Councilmember Reynolds the vote was as follows:

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as January 13, 2026.

CALL FOR PUBLIC HEARING TO CONSIDER THE PROPOSED MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 3456 HALLS MILL ROAD AND 2390 WEST I-65 SERVICE ROAD SOUTH (SCHEDULED FOR JANUARY 13, 2026) (DISTRICT 4). The following resolution was introduced by Councilmember Woods.

RESOLUTION: 41-1531-2025

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 amendment to the Zoning Ordinance 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 amendment.

Notice of Public Hearing for the Proposed Modification of Previously Approved Planned Unit Development for Property Located at 3456 Halls Mill Road and 2390 West I-65 Service Road South

Pursuant to Resolution of the Mobile, Alabama City Council adopted December 9, 2025, a public hearing will be held on the 13th day of January, 2026, at 10:30 a.m., to consider adoption of an ordinance for the proposed modification of a previously approved Planned Unit Development for property located at 3456 Halls Mill Road and 2390 West I-65 Service Road South.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the

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City Council may consider zoning classifications other than the ones sought by the applicant and may take other actions allowed by law.

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

WHEREAS, a Planned Unit Development was approved on April 3, 2008, to allow multiple buildings on a single building site located at 3456 Halls Mill Road, and 2390 West 1-65 Service Road South and described as follows:

LOTS 1, 2 & A PORTION OF LOT 3, BEN RADCLIFF SUBDIVISION, AS RECORDED IN MAP BOOK 119, PAGE 60 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERNMOST CORNER OF LOT 2, BEN RADCLIFF SUBDIVISION, AS RECORDED IN MAP BOOK 119, PAGE 60 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN SOUTH 15°-26'-24" WEST ALONG SAID LOT 2 AND ALONG THE WEST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 65 (VARIABLE R/W) A DISTANCE OF 132.04 FEET; THENCE RUN SOUTH 61 °-51 '-25" WEST ALONG SAID LOT 2 AND ALONG THE RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY NO. 65 A DISTANCE OF A DISTANCE OF 200.00 FEET TO THE COMMON CORNER BETWEEN SAID LOT 2 AND LOT 3 OF SAID BEN RADCLIFF SUBDIVISION; THENCE RUN SOUTH 44°-15'-04" WEST ALONG SAID LOT 3 AND ALONG RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY NO. 65 A DISTANCE OF 89.71 FEET; THENCE RUN SOUTH 04°-48'-25" WEST ALONG SAID LOT 3 AND ALONG RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY NO. 65 A DISTANCE OF 142.33 FEET TO A CORNER OF SAID LOT 3 AND THE NORTHWEST RIGHT-OF-WAY LINE OF HALLS MILL ROAD (60' R/W); THENCE RUN SOUTH 59°-29'-52" WEST ALONG SAID LOT 3 AND ALONG THE NORTHWEST RIGHT-OF-WAY LINE OF SAID HALLS MILL ROAD A DISTANCE OF 62.13 FEET TO THE SOUTHERNMOST CORNER OF SAID LOT 3; THENCE RUN NORTH 56°-10'-28" WEST ALONG SAID LOT 3 A DISTANCE OF 930.62 FEET; THENCE RUN SOUTH 00°-59'-15" WEST ALONG SAID LOT 3 A DISTANCE OF 13.18 FEET; THENCE RUN SOUTH 87°-09'-55" WEST A DISTANCE OF 179.16 FEET TO THE WEST LINE OF SAID BEN RADCLIFF SUBDIVISION; THENCE RUN NORTHWARDLY ALONG THE ARC OF A CURVE TO THE LEFT (HAVING A DELTA OF 18°-40'-49", A RADIUS OF 2,967.65 FEET, A CHORD BEARING OF NORTH 11°-42'-41" EAST, AND A CHORD LENGTH OF 963.26 FEET) AN ARC LENGTH OF 967.54 FEET TO THE NORTHERNMOST CORNER OF LOT 1 OF SAID BEN RADCLIFF SUBDIVISION; THENCE RUN SOUTH 70°-50'-21" EAST ALONG SAID LOT 1 A DISTANCE OF 787.20 FEET; THENCE RUN SOUTH 26°-29'-17" EAST ALONG SAID LOT 1 A DISTANCE OF 117.64 FEET; THENCE RUN SOUTH 65°-18'-27" EAST ALONG SAID LOT 1 A DISTANCE OF 77.70 FEET; THENCE RUN NORTH 73°-26'-19" EAST ALONG SAID LOT 1 A DISTANCE OF 102.41 FEET; THENCE RUN SOUTH 87°-21'-34" EAST ALONG SAID LOT 1 A DISTANCE OF 35.06 FEET; THENCE RUN SOUTH 05°-53'-34" EAST ALONG SAID LOT 1 A DISTANCE OF 38.25 FEET; THENCE RUN NORTH 84°-06'-26" EAST ALONG SAID LOT 1 A DISTANCE OF 60.65 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY NO. 65; THENCE RUN SOUTH 16°-34'-03" EAST ALONG SAID LOT 1 AND ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 41.09 FEET; THENCE RUN NORTH 89°-48'-04" WEST ALONG SAID LOT 1 AND ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 12.26 FEET; THENCE RUN SOUTH 01 °- 10'-31" EAST ALONG SAID LOT 1 AND ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 94.52 FEET; THENCE RUN SOUTH 210-22'-37" EAST ALONG SAID LOT 1 AND ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 53.35 FEET; THENCE RUN NORTHWESTWARDLY ALONG SAID LOT 1 AND ALONG THE ARC OF A CURVE TO THE LEFT (HAVING A DELTA OF 44°-00'-00", A RADIUS OF 105.10 FEET, A CHORD BEARING OF NORTH 43°-16'-14" WEST, AND A CHORD LENGTH OF 78.74 FEET) AN ARC LENGTH OF 80.71 FEET; THENCE RUN NORTH 65°-16'-14" WEST ALONG SAID LOT 1 A DISTANCE OF 118.62 FEET; THENCE RUN

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SOUTH 32°-20'-46" WEST ALONG SAID LOT 1 A DISTANCE OF 332.33 FEET TO THE NORTH LINE OF LOT 2 OF SAID BEN RADCLIFF SUBDIVISION; THENCE . RUN SOUTH 57°- 38'-47" EAST ALONG SAID LOT 2 A DISTANCE OF 415.38 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 23.75 ACRES, MORE OR LESS.

WHEREAS, on October 17, 2025, the owner of said property applied for a Major Modification of the Planned Unit Development allowing multiple buildings on a single building site, to modify lot lines in coordination with the proposed subdivision, and to remove an undeveloped portion of the site from the previously approved Planned Unit Development.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on November 20, 2025, and recommended approval of the Major Modification of the Planned Unit Development (PUD) subject to the following conditions:

1. Revision of the Final PUD Site Plan to label the size of each lot in both square feet and acres, adjusted for any required dedication resulting from the subdivision approval, or provision of a table on the Final PUD Site Plan with the same information;
2. Revision of the Final PUD Site Plan to illustrate the 25-foot front yard setback along all street frontages;
3. Revision of the Final PUD Site Plan to label each existing building with its size in square feet;
4. Revision of the Final PUD Site Plan to depict all other existing site features;
5. Provision of a table on the Final PUD Site Plan showing required and existing parking calculations;
6. Revision of the Final PUD Site Plan to illustrate any/all curbing and/or wheel stops;
7. Revision of the Final PUD Site Plan to depict any dumpsters or dumpster enclosures, or provision of a note on the Final PUD Site Plan stating curbside waste collection is utilized;
8. If any tree plantings or landscaped areas were required under prior approvals or permits, provide a note on the Final PUD Site Plan stating that the site will continue to maintain compliance with those applicable requirements;
9. Provision of a note on the Final PUD Site Plan stating that any future development or redevelopment of the site may require additional modification of the PUD, subject to Planning Commission and City Council approval;
10. Completion of the subdivision process prior to recording the Final PUD Site Plan in Probate Court;
11. Compliance with all Engineering comments noted in the staff report, amended as follows: 1. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (251-208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. e. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the

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issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. The proposed development must comply with all Engineering Department design requirements and Policy Letters;

12. Compliance with all Traffic Engineering comments noted in the staff report;
13. Compliance with all Urban Forestry comments noted in the staff report;
14. Compliance with all Fire Department comments noted in the staff report;
15. Submittal to and approval by Planning and Zoning of the revised Modified PUD site plan prior to its recording in Probate Court, and the provision of one (1) copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
16. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

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

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

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

1. Revision of the Final PUD Site Plan to label the size of each lot in both square feet and acres, adjusted for any required dedication resulting from the subdivision approval, or provision of a table on the Final PUD Site Plan with the same information;
2. Revision of the Final PUD Site Plan to illustrate the 25-foot front yard setback along all street frontages;
3. Revision of the Final PUD Site Plan to label each existing building with its size in square feet;
4. Revision of the Final PUD Site Plan to depict all other existing site features;
5. Provision of a table on the Final PUD Site Plan showing required and existing parking calculations;
6. Revision of the Final PUD Site Plan to illustrate any/all curbing and/or wheel stops;
7. Revision of the Final PUD Site Plan to depict any dumpsters or dumpster enclosures, or provision of a note on the Final PUD Site Plan stating curbside waste collection is utilized;
8. If any tree plantings or landscaped areas were required under prior approvals or permits, provide a note on the Final PUD Site Plan stating that the site will continue to maintain compliance with those applicable requirements;
9. Provision of a note on the Final PUD Site Plan stating that any future development or redevelopment of the site may require additional modification of the PUD, subject to Planning Commission and City Council approval;
10. Completion of the subdivision process prior to recording the Final PUD Site Plan in Probate Court;
11. Compliance with all Engineering comments noted in the staff report, amended as follows: 1. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (251-208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile

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City Code, Chapter 57, Article VIII). b. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. c. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. d. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. e. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. The proposed development must comply with all Engineering Department design requirements and Policy Letters;

12. Compliance with all Traffic Engineering comments noted in the staff report;
13. Compliance with all Urban Forestry comments noted in the staff report;
14. Compliance with all Fire Department comments noted in the staff report;
15. Submittal to and approval by Planning and Zoning of the revised Modified PUD site plan prior to its recording in Probate Court, and the provision of one (1) copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
16. Full compliance with all municipal codes and ordinances.

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

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

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as January 13, 2026.

CALL FOR PUBLIC HEARING TO CONSIDER THE PROPOSED MODIFICATION OF A PREVIOUSLY APPROVED PLANNING APPROVAL FOR PROPERTY LOCATED AT 6710 OLD SHELL ROAD (SCHEDULED FOR JANUARY 13, 2026) (DISTRICT 7). The following resolution was introduced by Councilmember Woods.

RESOLUTION: 41-1532-2025

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 amendment to the Zoning Ordinance 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 amendment.

Notice of Public Hearing for the Proposed Modification of Previously Approved Planning Approval for Property Located at 6710 Old Shell Road

Pursuant to Resolution of the Mobile, Alabama City Council adopted December 9, 2025, a public hearing will be held on the 13th day of January, 2026, at 10:30 a.m., to consider adoption of an ordinance for the proposed modification of a previously approved Planning Approval for property located at 6710 Old Shell Road.

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The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant and may take other actions allowed by law.

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

WHEREAS, a Planning Approval was approved on August 1, 1996, allowing construction of a 150-foot-tall steel monopole telecommunications tower on property located at 6710 Old Shell Road and described as follows:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF NOLFE SUBDIVISION AS RECORDED IN MAP BOOK 60, PAGE 52 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; RUN THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR 50.0 FEET; RUN THENCE NORTH 89 DEGREES 35 MINUTES 03 SECONDS WEST FOR 50.0 FEET; RUN THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS FOR 50.0 FEET TO THE WEST. NORTH LINE OF SAID LOT 1 OF NOLFE SUBDIVISION; RUN THENCE SOUTH 89 DEGREES 35 MINUTES 03 SECONDS EAST ALONG THE NORTH LINE OF SAID NOLFE SUBDIVISION FOR 50.0 FEET TO THE NORTHEAST CORNER OF SAID NOLFE SUBDIVISION AND THE POINT OF BEGINNING. SAID PARCEL BEING A PORTION OF LOT 1 AND SAID NOLFE SUBDIVISION AS RECORDED IN MAP BOOK 60, PAGE 52 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE, ALABAMA AND CONTAINING 2500 SQUARE FEET MORE OR LESS.

WHEREAS, the owner of said property applied for a Major Modification of the Planning Approval on September 25, 2025, to allow construction of a 150-foot-tall steel monopole telecommunications tower, to increase the height of the telecommunications tower from 150 feet to 172.1 feet.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on November 20, 2025, and recommended approval of the Major Modification of the Planning Approval subject to the following conditions:

1. Approval of Tower Height, Tower Setback and Tower Residential Buffer Variances by the Board of Zoning Adjustment;
2. Placement of a note on the revised site plan stating that any future development or re-development of the site may require additional PUD and Planning Approval modifications, subject to approval by the Planning Commission and City Council;
3. Compliance with all Engineering comments noted in the staff report;
4. Placement of a note on the revised site plan stating all Traffic Engineering comments noted in the staff report;
5. Compliance with all Urban Forestry comments noted in the staff report;
6. Compliance with all Fire Department comments noted in the staff report;
7. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and the provision of one (1) copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
8. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- A. Is consistent with all applicable requirements of this Chapter;
- B. Is compatible with the character of the surrounding neighborhood;
- C. Will not impede the orderly development and improvement of surrounding property;
- D. Having considered the applicable factors the request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- E. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;

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F. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
G. Shall not be detrimental or endanger the public health, safety or general welfare.
H. Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

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

Section One: That the modification of the Planning Approval 1s hereby approved with the following required conditions:

1. Approval of Tower Height, Tower Setback and Tower Residential Buffer Variances by the Board of Zoning Adjustment;
2. Placement of a note on the revised site plan stating that any future development or re-development of the site may require additional PUD and Planning Approval modifications, subject to approval by the Planning Commission and City Council;
3. Compliance with all Engineering comments noted in the staff report;
4. Placement of a note on the revised site plan stating all Traffic Engineering comments noted in the staff report;
5. Compliance with all Urban Forestry comments noted in the staff report;
6. Compliance with all Fire Department comments noted in the staff report;
7. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and the provision of one (1) copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
8. Full compliance with all municipal codes and ordinances.

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

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as January 13, 2026.

ANNOUNCEMENTS

Councilmember Woods said that the Senior Citizen 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 Ingram thanked residents for attending the District 2 Christmas meeting at the VIA Health Center on December 4, 2025 and wished everyone a Merry Christmas.

Councilmember Reynolds offered comments about rental agreements with the Mobile County Commission for Mobile Government Plaza.

Councilmember Fleming gave comments regarding the re-opening of S. McGregor Avenue and thanked the residents for their patience the past two years.

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 Fleming said that the Mobile Fire-Rescue Department will host a smoke alarm blitz in District 5 on Tuesday, December 9, 2025 at 4:00 p.m.

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Councilmember Fleming wished the residents of the City of Mobile a Merry Christmas.

Councilmember Penn offered comments about the lease agreement and rental amounts concerning the Mobile Government Plaza.

Councilmember Penn invited residents to join him for Cookies & Christmas Cheer with Councilman Cory at Pollman’s Bake Shop on Friday, December 19, 2025 at 4:00 p.m.

Councilmember Gregory offered comments about the re-opening of S. McGregor Avenue.

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 Small announced that the next Council meeting will be held at the History Museum of Mobile at 10:30 a.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, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:33p.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK