MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 3, 2019

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 3, 2019, at 9:00 a.m.

Present:

Chairman:	Manzie
Councilmembers:	Richardson, Small, Williams, Daves, Rich 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.

Flo Kessler, Assistant City Attorney, provided an oral declaration for the Council to enter into executive session to discuss legal options for pending litigation.

Councilmember Daves moved to go into executive session and to reconvene into the regular meeting at 10:30 a.m., which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the meeting moved into executive session.

Approved: December 10, 2019

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 3, 2019

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, December 3, 2019, at 10:30 a.m., in regular meeting.

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

Reverend Patricia Evans, Greater Ruth Chapel AME Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman:	Manzie
Councilmembers:	Richardson, Small, Williams, Daves, Rich and Gregory
Absent:	None

STATEMENT OF RULES BY PRESIDING OFFICER:

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

APPROVAL OF MINUTES:

The minutes of the meetings of November 26, 2019 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson recognized employees from the Sanitation division of the Public Works Department.

Mayor Stimpson named Evan Seaman as “Firefighter of the Month” for November 2019.

Mayor Stimpson presented the Mayor’s Medal of Excellence to Laura Angle, Grants Administrator, and Tiffany Levy, Grants Developer, in honor of their work with public safety grants.

ADOPTION OF THE AGENDA:

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

APPEALS:

The Council considered the request of Edward G. McDermott for a waiver of the Noise Ordinance at Cotton Hall, 911 Dauphin Street, on December 28, 2019 from 7:00 p.m. until 10:00 p.m. (District 2).

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 664 JOHNSTON AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 664 Johnston Avenue a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 604 PEACH STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 604 Peach Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1360 ST. MADAR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1360 St. Madar Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1354 ST. MADAR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1354 St. Madar Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Carolyn M. Smoke, 659 Augusta Street, requested more time to secure the property so it can be sold.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 907 KENDRICK DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 907 Kendrick Drive a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. John Hilliard, 3054 Belmont Street, spoke in favor of resolution 35-1037.

2. Irene Antone, 2202 Clinton Street, spoke about resolution 21-1096.

NON-AGENDA ITEMS:

1. Reggie Hill, 1007 Center Street, offered comments regarding Chapter 38 of the Municipal Code.

ORDINANCES HELD OVER:

ORDINANCE TO ESTABLISH A BLUE RIBBON AFFORDABLE HOUSING AND NEIGHBORHOOD REVITALIZATION COMMISSION OF THE CITY OF MOBILE. The following ordinance, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

ORDINANCE: 28-042-2019

Sponsored by: Councilmembers Manzie and Small

AN ORDINANCE TO ESTABLISH A BLUE RIBBON AFFORDABLE HOUSING AND NEIGHBORHOOD REVITALIZATION COMMISSION OF THE CITY OF MOBILE

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

Section One. Findings, Establishment and Purpose.

(a) The City of Mobile has been experiencing a decline in housing stock, the availability of affordable housing, and overall disinvestment in traditionally mixed-income neighborhoods.

(b) Simultaneous with this decline, several public housing complexes have been closed and additional complexes may be closed by 2025.

(c) The City Council recognizes there is growing public concern over the availability of affordable housing, housing options, and neighborhood stability.

(d) In order to broaden awareness of the problem, identify potential solutions, and to advocate for an equitable housing agenda and neighborhood-oriented public policies, the Blue Ribbon Affordable Housing and Neighborhood Revitalization Blue Ribbon Housing Commission hereinafter, the “”Blue Ribbon Housing Commission” or “Commission” is hereby established.

(e) The purpose of the Blue Ribbon Housing Commission is to identify solutions necessary to promote, incentivize and improve affordable housing, revitalize and stabilize neighborhoods, and to achieve equity among all citizens and neighborhoods in the city as it pertains to housing and housing structures.

(f) The Blue Ribbon Housing Commission will coordinate with city departments and the Mobile Housing Board, as well as partner with communities and outside agencies, as it seeks to understand affordable housing, fair housing and neighborhood revitalization needs.

Section Two. Membership and duties.

(a) Duties. The Blue Ribbon Housing Commission is charged with carrying out the above-stated purpose and in doing so its duties will include, but will not be limited to, the following:

(1) Develop an understanding of the City’s affordable housing needs;

(2) Make policy recommendations to the City Council which promote, incentivize and improve affordable housing and advance housing equity in the city;

(3) Make policy recommendations to the City Council which curtail neighborhood disinvestment, provide alternatives to demolition as a method to accomplish blight abatement, incentivize reinvestment and provide additional housing opportunities in the City;

(4) Provide a forum where residents can raise, and bring to the Blue Ribbon Housing Commission's attention, issues and complaints relating to affordable housing issues in the City;

(5) Engage the community and gather community input regarding the need and utilization of City-funded programs and policies for the promotion of affordable housing;

(6) Promote, improve and advance equity in affordable housing;

(7) Promote and advance a City-wide Affordable Housing Plan, relying on best practices; and,

(8) Promote, improve and advance equity in economic and community development in the city, including but not limited to city-funded economic development programs and opportunities.

(b) Membership and appointment.

(1) The Blue Ribbon Housing Commission shall be comprised of 11 members appointed by the Mobile City Council for a two-year term, as follows:

i. Two members shall be appointed by the representatives of Districts 1, 2, 3, and 4;

ii. One member shall be appointed by the representatives of Districts 5, 6 and 7;

iii. The Executive Director of the Mobile Housing Board shall serve as an ex officio member; and,

iv. The Director of the Housing and Community Development Department shall serve as an ex officio member.

(2) All voting members must be residents of the city.

(3) Members may serve two full consecutive two-year terms.

(4) Members can be removed at the discretion of the City Council.

(5) In appointing members to the Commission, the City Council should endeavor to use the following criteria:

i. Members should have demonstrated interest and experience in affordable housing, fair housing, community development, neighborhood revitalization, and economic development;

ii. Membership should reflect the groups of individuals that the affordable housing program is intended to assist and protect, including but not limited to, individuals from different ethnicities, gender, religious beliefs, sexual orientation and socioeconomic backgrounds.

iii. Membership should encompass individuals from a diverse background, including gender, age, ethnicity, profession, and background.

Section Three. Blue Ribbon Housing Commission Procedures and Meetings.

(a) Rules of procedure. The Commission shall adopt rules of procedure necessary for the proper discharge of its duties, which govern, among other things, the election of a chair, frequency of meetings, the conduct and time of its meetings. All rules shall be in accordance with this Chapter, other City Ordinances and State Law.

(b) Initial Meetings. The Commission shall meet within 30 days of appointment and thereafter, as many times as necessary, as deemed by the chair, to complete the initial affordable housing incentives and neighborhood revitalization recommendations discussed within Section Five.

(c) Meetings. The Commission shall meet at least once every six months or as needed. All meetings of the Blue Ribbon Housing Commission shall be public meetings.

(d) Quorum and Voting. Six Commission members shall constitute a quorum. No action of the Commission shall be valid unless authorized by a simple majority of the members present at a properly called meeting where a quorum is present.

(e) Minutes. The Commission shall keep minutes of all its proceedings, indicating attendance, vote or failure to vote of each member on every question. The City Clerk, his or her designee, shall attend the meetings to keep minutes. These minutes shall be public records. The City Clerk, his or her designee, shall serve as the custodian of all Commission records.

(f) Resources and Support. Any resources requested by the Commission will be extended through City Council discretionary sources. The Council Attorney shall be available to offer legal assistance to the Blue Ribbon Housing Commission. The Department of Housing and Community Development and the Planning Division shall assist the Blue Ribbon Housing Commission in its work, as necessary. The City Clerk, or his or her designee, shall assist with scheduling meetings, distributing documents and any other administrative tasks, as necessary.

Section Four. Review and Recommendation.

(a) Plan Review. The City Council recognizes a number of plans have been produced which make recommendations on how to address affordable housing issues. The Commission will be provided copies (digital or paper) and shall review the various plans and reports addressing neighborhood revitalization, affordable housing, redevelopment of the public housing complexes, fair housing, and comprehensive urban planning.

(b) Recommendations. The Blue Ribbon Housing Commission shall recommend to the City Council and the Mayor specific actions, strategies, incentives and initiatives to facilitate affordable housing and neighborhood revitalization. The recommendations may include the development of new programs and incentives, the supplementation of existing programs, and the adoption, modification, or repeal of specific policies, procedures, or ordinances. At a minimum, the Commission shall make recommendations on, and evaluate the implementation of, affordable housing incentives.

Section Five. Initial Incentives and Recommendations Report.

(a) Incentives and Recommendations. The Blue Ribbon Housing Commission shall, within ninety (90) days from the date of its first meeting, file its initial report with the City Council and the Mayor. This report shall identify the Commission's recommendations to incentivize affordable housing and strategies to support neighborhood revitalization. Such report must be adopted by affirmative vote of a majority of the Commission at a properly noticed public hearing.

(b) Notice. For the purposes of this section, properly noticed shall mean that notice of the time, date and place of such hearing has been published in a newspaper of general paid circulation in Mobile County no less than ten nor more than twenty days prior to such hearing. Notice shall also be given by the City Clerk on the City Council Agenda. Such notice must contain a concise summary of the recommendations to be considered by the Commission and must advise the public where a complete copy of the draft report may be obtained.

Section Six. Affordable Housing and Neighborhood Revitalization Incentive Plan.

(a) Adoption of Incentives. Within forty-five (45) days after the date the City Council receives the initial incentives and recommendations report from the Commission, the City Council shall adopt, by ordinance, the City of Mobile Affordable Housing and Neighborhood Revitalization Incentive Plan. The plan shall consist of specific initiatives, incentives and any other actions necessary to facilitate affordable housing and neighborhood revitalization. The plan shall also identify organizations to partner with and a schedule for implementation of the initiatives.

(b) Funding Strategy. A funding strategy shall be presented to the Mayor, for consideration, of the implementation of the Affordable Housing and Neighborhood Revitalization Incentive Plan.

(c) Amendments. The City of Mobile Affordable Housing and Neighborhood Revitalization Incentive Plan may be amended from time to time as deemed necessary by the Council.

Section Seven. Subsequent Recommendations and Plans.

(a) City-wide Affordable Housing Plan. After filing its initial affordable housing incentives and recommendations report, the Blue Ribbon Housing Commission shall identify a methodology, strategy, scope and time frame for creating and developing a City-wide Affordable Housing Plan. Within 240 days from the date of its initial meeting, the Commission shall provide its recommendations to accomplish the City Wide Affordable Housing Plan to the City Council and the Mayor.

(b) Additional recommendations and review. From time to time, the Commission shall review the implementation of previously recommended strategies, incentives and plans to address affordable housing and neighborhood revitalization. The Commission may make additional recommendations or suggest amendments to existing incentives and strategies. Any report resulting from these meetings must be adopted by affirmative vote of a majority of the Commission at a properly noticed public hearing and thereafter submitted to the City Council and the Mayor.

This ordinance will become effective upon its adoption and publication as required by law.

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be held over until the regular meeting of Tuesday, January 7, 2020, which was seconded by Councilmember Rich. Following comments from Councilmembers, Manzie, Small and Richardson the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

CONSENT RESOLUTIONS HELD OVER:

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR SPRING HILL FOOD MART, 1507 SPRINGHILL AVENUE, SUITE A. The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 37-1060-2019

Sponsored by: Councilmember Manzie

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)

Submitted by: Rajao LLC

Location: Spring Hill Food Mart

1507 Springhill Avenue, Suite A

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be held over until the regular meeting of Tuesday, December 10, 2019, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

RESOLUTIONS HELD OVER:

AUTHORIZE AN ASSIGNMENT, ASSUMPTION AND AMENDMENT OF LEASE WITH BALLCORPS, LLC (HANK AARON STADIUM). The following resolution, which was introduced and read at the regular meeting of November 14, 2019 and held over until the regular meetings of November 19, November 26, 2019 and December 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 35-1037-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, hereby authorizes the Mayor to execute and the City Clerk to attest an Assignment, Assumption and Amendment of Lease, substantially like the document attached hereto, by and among Ballcorps LLC, an Arizona limited liability company, Mobile Sports and Entertainment Group, LLC, an Alabama limited liability corporation and the City of Mobile, amending the License, Lease and Service Agreement between Mobile Professional Baseball Club, LLC and the City of Mobile, dated on or about April 16, 1996, the First Amendment thereof dated on or about September 9,1996, the Second Amendment thereof dated on or about March 25, 1997, and the Third Amendment thereof dated on or about January 11,2011; and, further, to take such actions necessary to administer said Assignment, Assumption and Amendment of Lease.

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be held over until the regular meeting of December 10, 2019, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE AMENDMENT TO THE ENROLLMENT AGREEMENT WITH BLUE CROSS BLUE SHIELD OF ALABAMA FOR THE EMPLOYEE HEALTH & DENTAL PLAN. The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 01-1076-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Amendment to the Enrollment Agreement vi/lth Blue Cross Blue Shield of Alabama for the employee health and dental plan, 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 Rich moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE AMENDED AGREEMENT WITH ILLINOIS CENTRAL RAILROAD COMPANY FOR ROADWAY IMPROVEMENT-HIGHWAY GRADE CROSSING SIGNAL, $621,394.00. The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 01-1077-2019

Sponsored by: Councilmember Gregory and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the First Amended Agreement for Local Agency Roadway Improvements between the City of Mobile and Illinois Central Railroad Company which amends and supersedes the Local Agency Roadway Improvement Agreement approved by Mobile City Council Resolution #01-800, adopted November 20,2018, and, further, to perform all acts necessary in connection with said Agreement, which is attached hereto and made a part hereof as though set forth in full. A copy of said First Amended Agreement for Local Agency Roadway Improvements is on file in the office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE AGREEMENT WITH THE USA CENTER FOR FORENSICS, INFORMATION TECHNOLOGY & SECURITY FOR INTERN STAFF FOR MIT, NTE $18,436.00. The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 01-1078-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and the University of South Alabama Center for Forensics, Information, Technology and Security, for the provision of intern staffing, for the period September 1, 2019 through August 31, 2020, in the amount not to exceed $18,436.00, as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the Office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

APPROVE PURCHASE ORDER FOR TELESCOPIC LADDER FIRE TRUCK, $1,324,396.00. The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 08-1079-2019

Sponsored by: Mayor Stimpson

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

Requisition	**Fiscal Year**	**Department**	**Description**	**Amount**	**Vendor**
2400	2020	(F7000) MOTOR POOL	2020 PIERCE ARROW CC 4DR 95FT TELESCOPIC LADDER FIRE TRUCK (HGAC COOPERATIVE PURCHASING AGREEMENT)	$1,314,396.00	(294963) EMERGENCY EQUIPMENT PROFESSIONALS, INC.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

TRANSFER $20,000.00 FROM CAPITAL PROJECT #CON03 TO THE NATIONAL FISH AND WILDLIFE FOUNDATION GRANT (PERCH CREEK PLAN). The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

Resolution: 09-1080-2019

Sponsored by: Councilmember Small and Mayor Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $20,000.00 be reallocated from Capital Project #CON03 in the Capital Improvement Fund (2000) to the Grant Fund G-NFWFII (5024) General Ledger Number 50245024.93030 Perch Creek Plan from Capital Improvements. These funds will be used for the National Fish and Wildlife Foundation (NFWF) Grant.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE AGREEMENT WITH HOAR PROGRAM MANAGEMENT, INC. FOR PROJECT DEVELOPMENT CONSULTING FOR THE REDEVELOPMENT OF THE MOBILE CIVIC CENTER; $25,000.00; PL-220-16 (C0381, 20002000-42200). The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-1081-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: HOAR PROGRAM MANAGEMENT LLC

Project name: MOBILE CIVIC CENTER REDEVELOPMENT
PROJECT DEVELOPMENT CONSULTING

Project number: PL-220-16

Amount: $25,000.00

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

ACCEPT QUITCLAIM DEEDS FOR DUNLAP DRIVE RIGHT OF WAY TO PINTO PASS BRIDGE. The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 23-1082-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to accept and attest, respectively, for and on behalf of the City of Mobile, Quitclaim Deeds from Alabama State Port Authority, Industrial Development Board of the City of Mobile, and Austal USA, LLC, along with the Statutory Warranty Deed from Epic Alabama Maritime Assets, LLC to the City of Mobile ("City") for the Right-Of-Way easement to Dunlap Drive at Pinto Pass Bridge.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

ASSENT TO THE VACATION OF MCGOWIN AVENUE. The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 47-1083-2019

Sponsored by: Councilmember Manzie

WHEREAS, SCOTCH & GULF LUMBER, LLC, an Alabama limited liability company ("SGL"), and MFBS CORPORATION, an Alabama corporation C"MFBS." and together with SOL, the "Petitioners"!, are the owners of all that real property abutting on each side of the 50' public right-of-way known as McGowin Avenue in the City of Mobile, State of Alabama, more particularly described on Exhibit A attached hereto and depicted on the survey attached hereto as Exhibit B; and

WHEREAS, a portion of the public right-of-way known as McGowin Avenue was vacated prior to the date hereof pursuant to that certain Resolution of the City Council of Mobile adopted March 28, 2000 and recorded in the Office of the Judge of Probate of Mobile County, Alabama at book 4822, page 1612; and

WHEREAS, the Petitioners have jointly submitted that certain "Petition For Vacation of Right-of-Way Pursuant to Code of Alabama Section 23-4-1 et seq." (the "Petition"! requesting the City Council of Mobile, Alabama to assent to the vacation of the remaining portion of the 50' public right-of-way known as McGowin Avenue, more particularly described on Exhibit A attached hereto and depicted on the survey attached hereto as Exhibit B; and

WHEREAS, said vacation will not deprive other property owners of any right they may have to convenient and reasonable means of ingress and egress to and from their property; and

WHEREAS, entities with utility lines, equipment, or facilities in place at the time of vacation, shall have the right to continue to maintain, extend, and enlarge their lines, equipment, and facilities to the same extent as if said vacation had not occurred

WHEREAS, notice of the hearing of said vacation was provided in accordance with applicable law, including publication in the Mobile Press-Register or other newspaper of general circulation in the City of Mobile, Alabama; and

WHEREAS, the City Council finds that McGowin Avenue is not needed as a public right-of-way in the City of Mobile, Alabama; and

WHEREAS, the City Council finds that it is in the interest of the public that McGowin Avenue be vacated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE ALABAMA, that the City of Mobile does hereby express and evidence its assent to the vacation of the public right-of-way known as McGowin Avenue described on Exhibit A attached hereto and depicted on the survey attached hereto as Exhibit B, subject to the following reservations:

(a) Spire Alabama, Inc. shall have the right to continue to maintain, extend, and enlarge its lines, equipment, and facilities located within or adjacent to McGowin Avenue to the same extent as if the vacation had not occurred;

(b) Mobile Area Water & Sewer System of the City of Mobile shall have the right to continue to maintain, extend, and enlarge its lines, equipment, and facilities located within or adjacent to McGowin Avenue to the same extent as if the vacation had not occurred; and

(c) Alabama Power Company shall have all rights and privileges necessary to allow it to continue to maintain, extend, and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred and all other rights, title, and interests held by Alabama Power Company with respect to McGowin Avenue under any statute or other law or under any conveyance or agreement, whether recorded or unrecorded, including, without limitation, all rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment, and facilities now or hereafter located within or adjacent to McGowin Avenue; and the right of ingress and egress to and from said lines, equipment, and facilities; and the right to cut and/or trim trees or limbs which, in the sole opinion of Alabama Power Company, would interfere with said lines, equipment or facilities; and the right to prohibit use of McGowin Avenue in a manner which violates the National Electric Safety Code.

Notice of this Resolution shall be published in the Mobile Press-Register or other newspaper of general circulation in the City of Mobile, Alabama within fourteen (14) days of the date of adoption and a copy of this Resolution shall be filed with the Mobile County Probate Court. The City Clerk of the City of Mobile is hereby authorized, empowered and directed to certify true copies of this resolution and attach such certified copies to the written declaration of vacation of the aforesaid public right-of-way and to deliver said document to the owners of the real property abutting said right-of-way hereby vacated.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

ESTABLISH FAIR MARKET VALUE OF PROPERTY TO BE VACATED ON MCGOWIN AVENUE AS $7,465.23. The following resolution, which was introduced and read at the regular meeting of November 26, 2019 and held over until the regular meeting of December 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 47-1084-2019

Sponsored by: Councilmember Manzie

A RESOLUTION ESTABLISHING FAIR MARKET VALUE OF PROPERTY TO BE VACATED PURSUANT TO RESOLUTION 47-235-2014 AND REQUIRING PAYMENT OF SUCH FAIR MARKET VALUE AS A CONDITION PRECEDENT TO THE VACATION

WHEREAS, Section 11-49-6 of the Code of Alabama provides that prior to the exercise of the power to vacate a public right-of-way, the City may, as a condition of the exercise of such power to vacate, require those landowners who will directly benefit from such vacation to pay the City a vacation of right-of-way fee equal to the fair market value of the land which will be added the holdings of such landowners; and, WHEREAS, Section 11-49-6 requires that such fair market value is to be determined after a public hearing; and,

WHEREAS, a public hearing was held on the 27th day of November, 2019.

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

Section One: That the Council, after conducting the public hearing required by Section 11-49-6, does hereby determine that the fair market of the public right-of-way located at McGowin Avenue to be vacated pursuant to Resolution 47-1083 is $7,465.23, and that such amount is due to be assessed as the reasonable fee for the vacation of such right-of-way.

Section Two: That payment of the fee set in Section One of this Resolution is and shall be a condition precedent to the exercise of the power to vacate the right-of-way, such that payment of such fee is required before the vacation of the right-of-way shall become effective.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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 Small moved for the suspension of the rules to consider Consent Resolutions 03-1086 – 60-1095 being introduced for the first time. The motion was seconded by Councilmember Gregory, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

APPOINT KATRINA KENNEDY TO THE MOBILE MUSEUM OF ART BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-1086-2019

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Katrina Kennedy is appointed to the Mobile Museum of Art board effective December 31, 2019 for a term ending December 31, 2022.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE GRANT APPLICATION TO THE EPA FOR A BROWNSFIELDS COMMUNITY WIDE ASSESSMENT GRANT, $300,000.00 (NO LOCAL MATCH REQUIREMENTS). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-1087-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the United States Environmental Protection Agency (EPA), a grant application for a Brownsfields Community Wide Assessment Grant to provide funding for developing inventories, prioritizing sites, conducting community involvement activities, conducting planning, conducting site assessments, developing specific cleanup plans, and developing reuse plans related to Brownfields sites. The amount of the award for grant assistance is for $300,000.00 with no match required. The project period is for three years.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the Environmental Protection Agency or any state or federal agency.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE A GRANT APPLICATION TO THE ALABAMA DEPARTMENT OF PUBLIC HEALTH, OFFICE OF EMS AND ALABAMA MEDICAID AGENCY, $46,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-1088-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the Alabama Department of Public Health, Office of EMS and Alabama Medicaid Agency, a Notice of Award for grant assistance in the amount of $46,000.00.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the Alabama Department of Public Health and the Alabama Medicaid Agency. Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

DECLARE THE STRUCTURE AT 664 JOHNSTON AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1089-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 664 Johnston Avenue has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 6, 7, 8, and 15 and;

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 664 Johnston Avenue as:

LOT 29 BLK 23 BON AIR ESTS MBK 156 PG 374 #SEC 28 T4S RIW #MP2910 28 3 003

Parcel number: 29 10 28 3 003 037.001

Last assessed to: YORK CARL LESLIE

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

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

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

DECLARE THE STRUCTURE AT 604 PEACH STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Manzie.

RESOLUTION: 40-1090-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 62, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 604 Peach Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8,14 and 15 and;

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 604 Peach Street as:

LOT 28 BLK 25 TISDALE SUB OF FISHER TRT DBK 75 P 260 #SEC 13 T4S RIW #MP29 06 13 0 002

Parcel number: 29 06 13 0 002 195

Last assessed to: WHITE SHEILA WILSON

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

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

The resolution was read by the City Clerk; whereupon Councilmember Manzie moved that the resolution be held over until the regular meeting of December 10, 2019, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

<u>DECLARE THE STRUCTURE AT 1360 ST. MADAR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).</u> The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1091-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 1360 St Madar Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8 and 15 and;

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1360 St. Madar Street as:

LOT 27 BLK 22 TISDALE SUB O F FISHER TRT DBK 75 PG 260 #SEC 13 T4S RIW #MP29 06 13 Q QQ3

Parcel number: 29 06 13 0 003 257

Last assessed to: HEIRS OF HERMAN YOUNG and SUE YOUNG

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

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

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

DECLARE THE STRUCTURE AT 1354 ST. MADAR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1092-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52. Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 1354 St. Madar Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, and 15 and;

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

NOW, THEREFORE. BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1354 St. Madar Street as:

LOT 23 BLK 22 TISDALE SUB OF FISHER TRT DBK 75 P 260 #SEC 13 T4S RIW #MP29 06 13 0 003

Parcel number: 29 06 13 0 003 253.01

Last assessed to: SMOKE MCOWEN CAROLYN

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

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

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be held over until the regular meeting of Tuesday, February 4, 2020, which was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

DECLARE THE STRUCTURE AT 907 KENDRICK DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 7). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1093-2019

Sponsored by: Councilmember Gregory

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 907 Kendrick Drive has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8 and 15 and;

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 907 Kendrick Drive described as:

LOT 5 FRYTRT RKUB LOT 12 MBK 5/43 #SEC 12 f4S R2W #MP28 01 12 4000.

Parcel number: 28 0112 4 000 046

Last assessed to: NUMMY ROBERT R.

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

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

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

ASSESS COST FOR REMOVAL OF WEEDS, WEED LIEN GROUP #1598. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-1094-2019

RESOLUTION ASSESSING THE COST OF REMOVAL OF NOXIOUS OR DANGEROUS WEEDS IN FRONT OR OF 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 Weed Lien Group 1598 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.

	WEED LIEN	
	1598	Res. No.
9/3/2019	LOTS TO BE DECLARED	58-916
10/8/2019	LOTS FOR PUBLIC HEARING	58-
12/3/2019	LOTS TO BE ASSESSED FOR COST	58-

No.	Address	SRO No.	CASE #	Amount Assessed	Dis	N/A CBO
1	0 Prichard Ave W	934392	1462	$ -	1	UDL
	Parcel No. (29 02 44 0 013 382.XXX)					
2	0 Dubose St	934922	1463	$ 283.75	1	
	Parcel No. (29 02 44 0 015 367.XXX)					
3	2911 Frederick St	935435	1464	$ 224.00	1	
4	1572 Robert E Lee St	937507	1465	$ 293.85	3	
5	2305 Best St	935125	1466	$ 175.00	2	
6	657 Carver St	936302	1467	$ 189.00	2	
7	650 Carver St	936301	1468	$ 280.00	2	
8	1404 F/k/a 1402 Pecan St	936502	1469	$ 321.00	2	
9	1402 F/k/a 1404 Pecan St	936501	1470	$ 318.00	2	
10	651 Carver St	939995	1471	$ 210.00	2	
11	1374 Martin Luther King Jr Ave	932818	1472	$ -	2	CBD
12	612 Cedar Ave	932956	1473	$ 318.00	2	
13	2903 Fredrick St	936517	1474	$ 189.00	1	
14	2913 Fredrick St	936519	1475	$ 50.00	1	CBO
15	2009 Gibson St	935368	1476	$ 50.00	1	CBO
16	151 Union Ave	937188	1477	$ 50.00	1	CBO
17	277 Siena Vista	934953	1478	$ -	1	CBD
18	2309 Bullen St	937009	1479	$ 260.00	1	
19	3121 Ridgeway St	936839	1480	$ 50.00	1	CBO
20	460 Peach St	933704	1481	$ 50.00	2	CBC
21	202 Page Ave	939687	1482	$ 210.00	1	
				$ 3,521.60		

District total for this group		Numbers of lots cut	
1	11	1	5
2	9	2	7
3	1	3	1
4	0	4	0
5	0	5	0
6	0	6	0
7	0	7	0
	21		13

*ADD Added in from other Groups
*CBO Cut By Owner
*N/A Taken out by Inspector
*CBC Cut By Contractor
*UDL Undeveloped Lot

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTER OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM, EVAN L. SEAMAN, $500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1095-2019

Sponsored by: Mayor Stimpson

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

Fire Service Driver Evan L. Seaman

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

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH MCELHENNEY CONSTRUCTION COMPANY, LLC FOR 2018 CIP TRINITY GARDENS AREA STREET AND DRAINAGE IMPROVEMENTS (WARSAW AVE. AND HARPER AVE.), $465,147.09. The following resolution was held over until the regular meeting of Tuesday, December 10, 2019.

RESOLUTION: 21-1096-2019

Sponsored by: Councilmember Richardson

WHEREAS, bids for street and drainage improvements for district 1 were received and opened on October 9, 2019.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from McElhenney Construction Company, LLC, in the amount of $465,147.09.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by McElhenney Construction Company, LLC.

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

Name of company: McElhenney Construction Company, LLC

Project name: 2018 CIP Trinity Gardens Area Street
and Drainage Improvements
(Warsaw Ave. and Harper Ave.)

Project number: 2018-3005-16B

Amount: $465,147.09

RESOLUTIONS BEING INTRODUCED:

TRANSFER $450,000 FROM THE STORM WATER FUND TO CAPITAL PROJECT #C0446 FOR THE PURCHASE OF A DUMP TRUCK, MINI EXCAVATOR AND OTHER

ADDITIONAL STORM WATER MANAGEMENT ACTIVITIES. The following resolution was held over until the regular meeting of Tuesday, December 10, 2019.

RESOLUTION: 09-1097-2019

Sponsored by: Mayor Stimpson

WHEREAS, THE CITY COUNCIL OF THE CITY OF MOBILE adopted Ordinance Number 01-024 on August 21, 2018 levying a storm water fee on Residential and Commercial Property to support the Storm Water Management Program (MS4); and

WHEREAS, Ordinance No. 01-024 is now codified at Article III, Chapter 17 of the Mobile City Code; and

WHEREAS, Sec. 17-47 of the Mobile City Code states:

"The storm water fees levied and collected pursuant to this division shall be deposited into a fund known as storm water find to be designated for expenses incurred complying with the City's NPDES permit for operations of its MS4, including but not limited to eliminating floatables from and improving water quality in the rivers, streams and waterways of the City and other storm water management activities required by the City's storm water management program. All amounts remaining in the fund at the end of the fiscal year shall not lapse but shall retain their dedication to storm water purposes."

WHEREAS, The Revenue Commissioner of Mobile County assessed, collected, enforced and remitted the fees to the City of Mobile; and

WHEREAS, in order for such funds to be utilized for the purposes set forth in section 17-47, the Mobile City Council desires to allocate the funds to a capital projects;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the sum of $450,000.00, currently deposited in the Storm Water Fund, be allocated to Capital Project #C0446 Municipal Storm Water Fees Project for the purchase of a Dump Truck, Mini Excavator and other additional storm water management activities.

ANNOUNCEMENTS:

Councilmember Rich stated that the district six holiday breakfast will be held on Wednesday, December 18, 2019 at the Connie Hudson Senior Center. A district six community meeting will also be held at the senior center on January 16, 2020.

Councilmember Rich reported that a draft of the proposed towing ordinance will be presented on January 7, 2020 at 2:00 p.m. in the Council’s conference room

Councilmember Richardson gave an overview of the project to cover ditches related to Resolution 21-1096.

Councilmember Richardson commended Precinct 3 of the Mobile Police Department for their service to district one residents.

Councilmember Small announced the district three Christmas celebration will be held at 6:00 p.m. on December 10, 2019 at Palmer Pillans.

Councilmember Small invited the public to attend the annual Parade of 3s on Saturday, December 14, 2019.

Councilmember Gregory reminded residents that Christmas on the Hill will be held on December 8, 2019 and that the district seven Christmas meeting will be held on December 9, 2019 at the Mobile Museum of Art.

Councilmember Gregory stated that applications for a new Council attorney will be accepted until December 13, 2019.

Councilmember Williams invited the public to greet World War II Veteran Mr. Ernie Andrus as he comes through Mobile this weekend.

Councilmember Manzie announced the district two holiday celebration will be held on Thursday, December 12, 2019, 6:00 p.m. at the Via Senior Center.

Councilmember Manzie reminded citizens to support Mobile by shopping local.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:51 a.m.

Adopted: December 10, 2019

____
COUNCIL PRESIDENT

____
CITY CLERK