

MUNICIPAL BUILDING, MOBILE, ALABAMA, NOVEMBER 23, 2021

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, November 23, 2021, at 9:00 a.m.

Present:

Councilmembers: Penn, Carroll, Small, Reynolds, Scott and Gregory

Absent: Daves

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

Chris Arledge, Council Attorney, deemed it appropriate for the Council to enter into executive session to discuss pending litigation.

Declaration from Chris Arledge:

To: All Councilors, City Clerk

From: Chris Arledge

Date: November 22, 2021

RE: Executive Session Declaration for 11/9/21, Council Meeting

There has been a request for the Council consider going into executive session on November 23, 2021, between the pre-meeting and regular meeting, to hear from the city attorneys on the legal ramifications of and legal options for several litigation matters pursuant to §36-25A-7(a)(3) of the Alabama Open Meetings Act. As an attorney licensed to practice law in Alabama this constitutes my written opinion that this exception provided for by the OMA is applicable to the planned discussion.

The process to convene an executive session is as follows:

1. A quorum of the governmental body must first convene a regular or special meeting.
2. There should be a motion made to enter executive session to discuss litigation.
3. Before the vote, I should be called upon to state that I have provided this written declaration to council that the matter is exempted under the OMA.
4. The motion should be seconded and a majority of the members present must adopt, by roll call vote, the motion.
5. Prior to entering executive session the presiding officer should announce the approximate time of the session (45 minutes) and that the body will not reconvene afterwards.
6. The minutes should reflect all of the foregoing.

Councilmember Gregory moved for the Council to enter into executive session and reconvene into the regular meeting at 10:30 a.m., which move was seconded by Councilmember Jones.

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Following a roll call, the vote was as follows:

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

Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the meeting moved into executive session at approximately 9:26 a.m.

MUNICIPAL BUILDING, MOBILE, ALABAMA, NOVEMBER 23, 2021

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, November 23, 2021, at 10:30 a.m., in regular meeting.

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

Pastor Gregory West, Rehoboth Missionary Baptist Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

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 meeting of November 17, 2021, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson reported that the lighting of the Christmas tree was a success.

Mayor Stimpson shared that the Southern Economic Advancement Project commended the City of Mobile for the promptness and future distribution of the American Rescue Plan Funds.

Mayor Stimpson announced the Parks and Recreation Department will host a Small Business Outdoor Holiday Market at Cathedral Square at 4:00 p.m., this Saturday.

PRESENTATION TO THE COUNCIL:

Police Chief Paul Prine presented Officer Paul Callegari as the "Officer of the Month" for October 2021.

Fire Chief Jeremy Lami presented Fire Service Driver Terry Fleming as the "Firefighter of the Month" for October 2021.

PRESENTATIONS BY THE COUNCIL:

Councilmember Penn presented a Proclamation declaring November 26-28, 2021, as "Toulminville LeFlore Alumni Days" in Mobile.

MONTHLY FINANCE REPORTS

Bob Holt, Executive Director of Finance, presented the Council with the monthly finance report for October 2021.

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ADOPTION OF THE AGENDA:

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory

Nays: None

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

APPEALS:

Request of Karla Edwards, Roberts Brothers, for a waiver of the Noise Ordinance at 6 S. Joachim Street (Saengar Theater) on January 27, 2022, from 5:00-10:00 p.m. (District 2).

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

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

Nays: None

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

Request of Danny Corte, Mobile Sports Authority, for a waiver of the Noise Ordinance at Herndon-Sage Park on December 3-5, 2021, from 4:00-9:00 p.m. (Friday), 7:00 a.m. – 11:00 p.m. (Saturday) and 8:00 a.m. – 9:00 p.m. (Sunday) (District 1).

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

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

Nays: None

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

Request of Brittney Dailey, Servitude Community Coalition, Inc., for a waiver of the Noise Ordinance at Medal of Honor Park on December 18, 2021, from 11:00 a.m. – 1:00 p.m. (District 6).

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

Ayes: Penn, Carroll, Small, Reynolds, Jones 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 REZONE PROPERTY LOCATED AT 162 AND 186 EAST DRIVE FROM R-1 TO R-2 (DISTRICT 6).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 162 and 186 East Drive from R-1 to R-2, and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT THE SOUTH TERMINUS OF BOWDEN ROAD FROM R-1 TO I-1 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at the south terminus of Bowden Road from R-1 to I-1, and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO CONSIDER THE VACATION OF RIGHTS OF WAY LOCATED IN THE CARONDOLET APARTMENT COMPLEX, 4612 SPRINGHILL AVENUE (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to consider the vacation of rights of way located in the Carondolet Apartment Complex, 4612 Springhill Avenue, and asked if there was anyone present to speak for or against this matter.

Thornton Ratcliff, Vice President of Development, Dobbins Group, 2914 Linden Avenue, Birmingham, AL, represented the property owners and provided information relative to the request.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Reggie Hill, 1007 Center Street, addressed resolutions 08-1022, 01-1046 – 01-1047, and 08-1048.

NON-AGENDA ITEMS:

None.

RESOLUTIONS HELD OVER

AUTHORIZE 2021-2022 SOUTH ALABAMA REGIONAL PLANNING COMMISSION SAIL CONTRACT. The following resolution, which was introduced and read at the regular meeting of November 17, 2021 and held over until the regular meeting of November 23, 2021, was called up by the Presiding Officer.

RESOLUTION: 01-1021-2021

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 Agreement with the South Alabama Regional Planning Commission to perform all necessary services provided under this contract for Parks and Recreation Department. The Planning Agency agrees to pay the contractor(The City of Mobile) as provided in the statement of work but in no event shall exceed \$50,00.00 as outlined in the agreement attached hereto and made a part

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hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is necessary to perform essential minimum functions of the Council.

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

Ayes: Penn, Carroll, Small, Reynolds, Scott 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 WARD INTERNATIONAL TRUCKS, LLC FOR TWO 2022 INTERNATIONAL TANDEM AXLE DUMP TRUCKS; \$283,974.00. The following resolution, which was introduced and read at the regular meeting of November 17, 2021 and held over until the regular meeting of November 23, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-1022-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>100</u>	2022	(F7000) MOTOR POOL	2 2022 INTERNATIONAL HV607 TANDEM AXLE DUMP TRUCKS (SEALED BID 5623)	\$283,974.00	<u>(232872) WARD INTERNATIONAL TRUCKS</u>

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH SPEAKS & ASSOCIATES CONSULTING ENGINEERS, INC., FOR WOODCOCK DRAINAGE REPAIRS CEI (AIRPORT BOULEVARD TO U.S. 90); COM PROJECT NO. 2017-3005-11 (D#5); \$44,000.00. The following resolution, which was introduced and read at the regular meeting of November 17, 2021 and held over until the regular meeting of November 23, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-1023-2021

Sponsored by: Councilmember Daves and Mayor Stimpson

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

Name of Company: Speaks & Associates Consulting Engineers, Inc.
Project Name: Woodcock Drainage Repairs CEI (Airport Blvd. to U.S. 90)
COM Project No: 2017-3005-11
Estimated Cost: \$44,000.00

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH E. CORNELL MALONE CORP FOR HURRICANE ROOF REPAIRS (HURRICANE SALLY) AT THE MOBILE CIVIC CENTER ARENA; \$108,350.00. The following resolution, which was introduced and read at the regular meeting of November 17, 2021 and held over until the regular meeting of November 23, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-1024-2021

Sponsored by: Mayor Stimpson

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

Name of Company: E. CORNELL MALONE CORPORATION
Project Name: MOBILE CIVIC CENTER ARENA –
 HURRICANE SALLY ROOF REPAIRS
Project Number: CC-077-21
Amount: \$108,350.00
 (GHURSALLY Category E; 50275027.48010)

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory
Nays: None

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

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AUTHORIZE CONTRACT WITH TECHNOLOGY INTEGRATION GROUP FOR REMOTE AND ONSITE ENGINEERING SUPPORT ON COMPUTER NETWORK SECURITY ARCHITECTURE AND CONFIGURATION; \$25,000.00. The following resolution, which was introduced and read at the regular meeting of November 17, 2021 and held over until the regular meeting of November 23, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-1025-2021

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 PC Specialists, Inc., dba Technology Integration Group, for expert remote and onsite engineering support and advisory recommendations on computer network security architecture and configuration, for the period December 1, 2021 through November 30, 2022, in the amount not to exceed \$25,000, as outlined in the contract attached hereto and made a part hereof as though set forth in full.

A copy of said contract is on file in the Office of the City Clerk.

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory

Nays: None

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

ORDINANCES BEING INTRODUCED:

ORDINANCE TO REZONE PROPERTY LOCATED AT 162 AND 186 EAST DRIVE FROM R-1 TO R-2. The following ordinance was held over until the regular meeting of November 30, 2021.

ORDINANCE: 64-039-2021

Sponsored by: Councilmember Jones

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

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

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

LOT 12, KOHN DIVISION OF WESTERN HILLS, AS RECORDED IN MAP BOOK 3, PAGE 390, IN THE OFFICE OF THE JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA AND LOT 11, BLOCK 1, KOHN SUBDIVISION OF WESTERN HILLS, AS RECORDED IN MAP BOOK 3, PAGE 432, IN THE OFFICE OF THE JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA

The classification of said property is hereby changed from R-1, Single-Family Residential District, to R-2, Two-Family Residence District, and it shall hereafter be lawful to construct

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on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance subject to the following conditions:

(a) The property shall only be used for the construction of not more than twenty-three (23), detached, single-family residences. Each residence shall be constructed of brick, have an enclosed, attached garage and shall fully comply with the terms and conditions of the judgment dated October 14, 2021 in the case styled Banerjee v. City of Mobile, CV-19-900732 in the Circuit Court of Mobile County, Alabama and attached hereto.

(b) The plans for any structure or building sought to be erected on said property shall comply 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.

(c) No lot or parcel of land herein above described shall be used for any purpose except detached, single-family residences as described herein, and that there be full compliance with all municipal codes and ordinances, including the subdivision regulations.

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

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

BANERJEE ABHISHEK,	)	
Plaintiff,	)	
	)	
V.	)	Case No.: CV-2019-900732.00
	)	
CITY OF MOBILE,	)	
MANZIE LEVON,	)	
RICH BESS,	)	
SMALL C. J. ET AL,	)	
Defendants.	)	

CONSENT JUDGMENT

This matter having been reported as settled, the parties hereby agree to the entry of the following consent judgment:

1. The Defendant City Council shall, within 30 days from the date of this order, adopt an ordinance in substantial form as the ordinance attached as Exhibit 1 to this judgment rezoning of Plaintiffs' property from R-1 to R2 (as recommended by the Mobile Planning Commission). Said rezoning shall be subject to the condition that the property may only be used for the development of a subdivision consisting of not more than 23 single family homes (with a green space located on one of the lots depicted on the site plan as lots 10 through 15). Further, the homes shall generally conform to the materials and specifications set forth in the attached Exhibit 2.

2. The Plaintiff shall, within 30 days from the date of this order make application to the Planning Commission for a subdivision and Planned Unit Development consistent with the approvals previously granted by the Planning Commission and consistent with the conditions set forth in paragraph one of this order.

3. The-Plaintiffs shall not pursue a connection of the 50' ROW hammerhead to the street to the north, and shall comply with all other conditions that may lawfully be Imposed by the Planning Commission.

DONE this 14th day of October, 2021.
/s/S. WESLEY PIPES, CIRCUIT JUDGE

EXHIBIT 1

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

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

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

LOT 12, KOHN DIVISION OF WESTERN HILLS, AS RECORDED IN MAP BOOK 3, PAGE 390, IN THE OFFICE OF THE JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA AND LOT 11, BLOCK 1, KOHN SUBDIVISION OF WESTERN HILLS, AS RECORDED IN MAP BOOK 3, PAGE 432, IN THE OFFICE OF THE JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA

The classification of said property is hereby changed from R-1, Single-Family Residential District, to R-2, Two-Family Residence District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known, as the Zoning Ordinance subject to the following conditions:

(a) The property shall only be used for the construction of not more than 23 single family residences and shall be in full compliance with the terms and conditions of the judgment dated 2021 in the case styled Banerjee v. City of Mobile, CV:-19-900732 in the Circuit Court of Mobile County, Alabama and attached hereto.

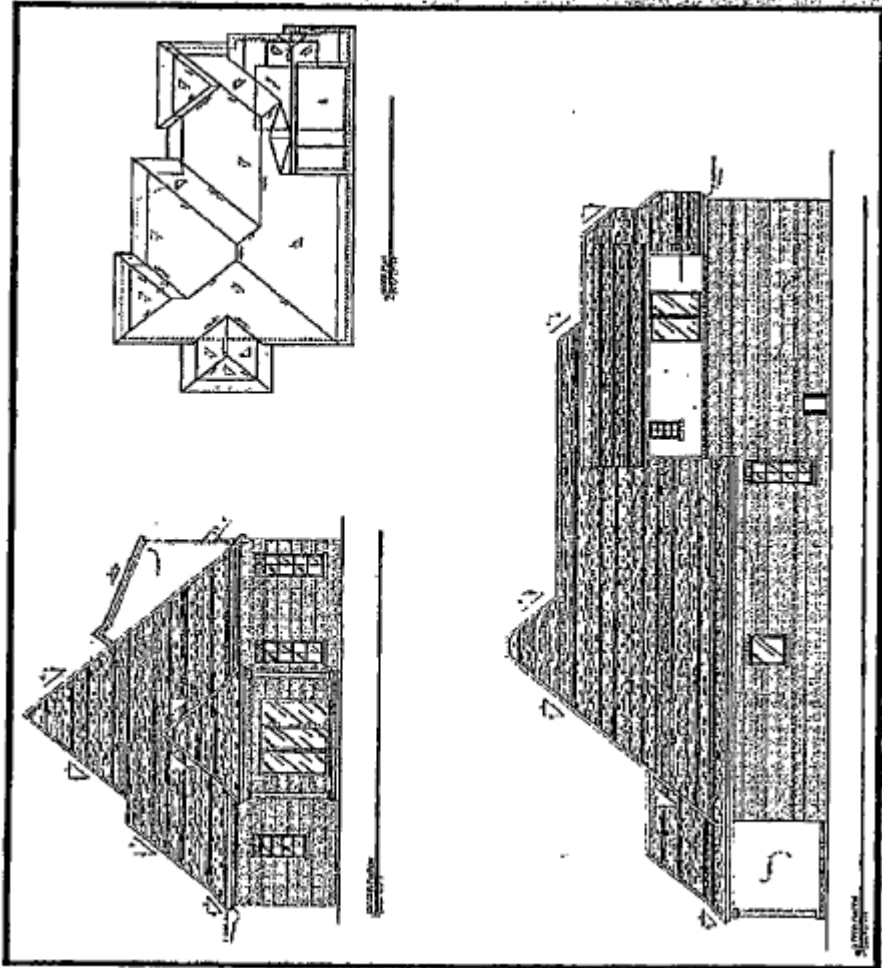
(b) The plans for any structure or building sought to be erected on said property shall comply with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws.

(c) No lot or parcel of land herein above described shall be used for any use except single family residential, and that there be full compliance with all municipal codes and ordinances, including the subdivision regulations.

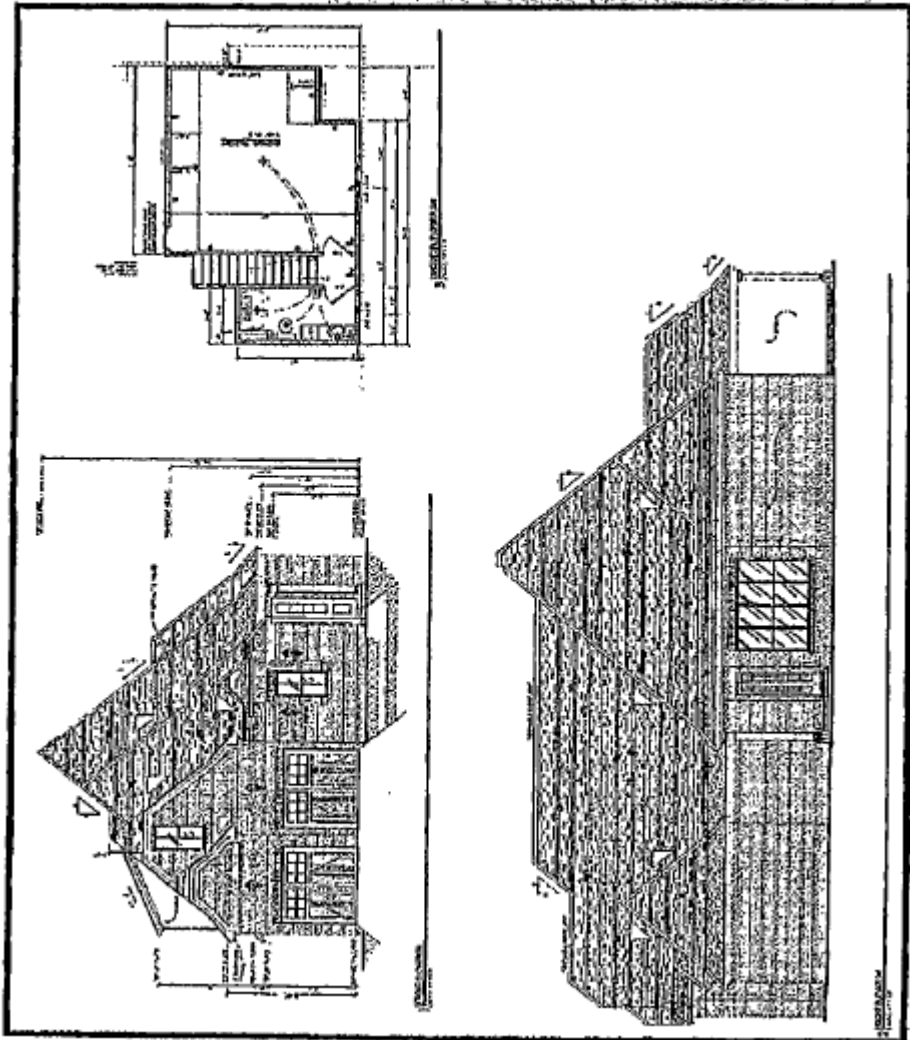
Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

EXHIBIT 2:

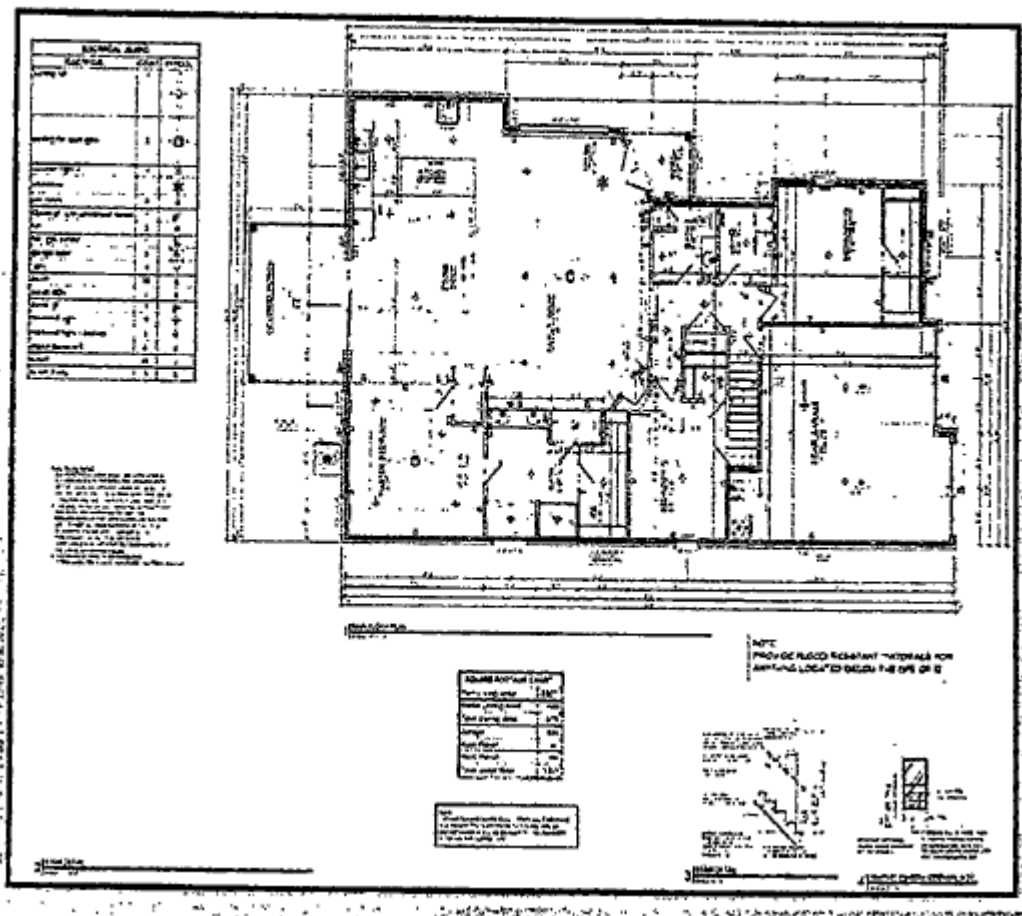
Sample Rear Elevation



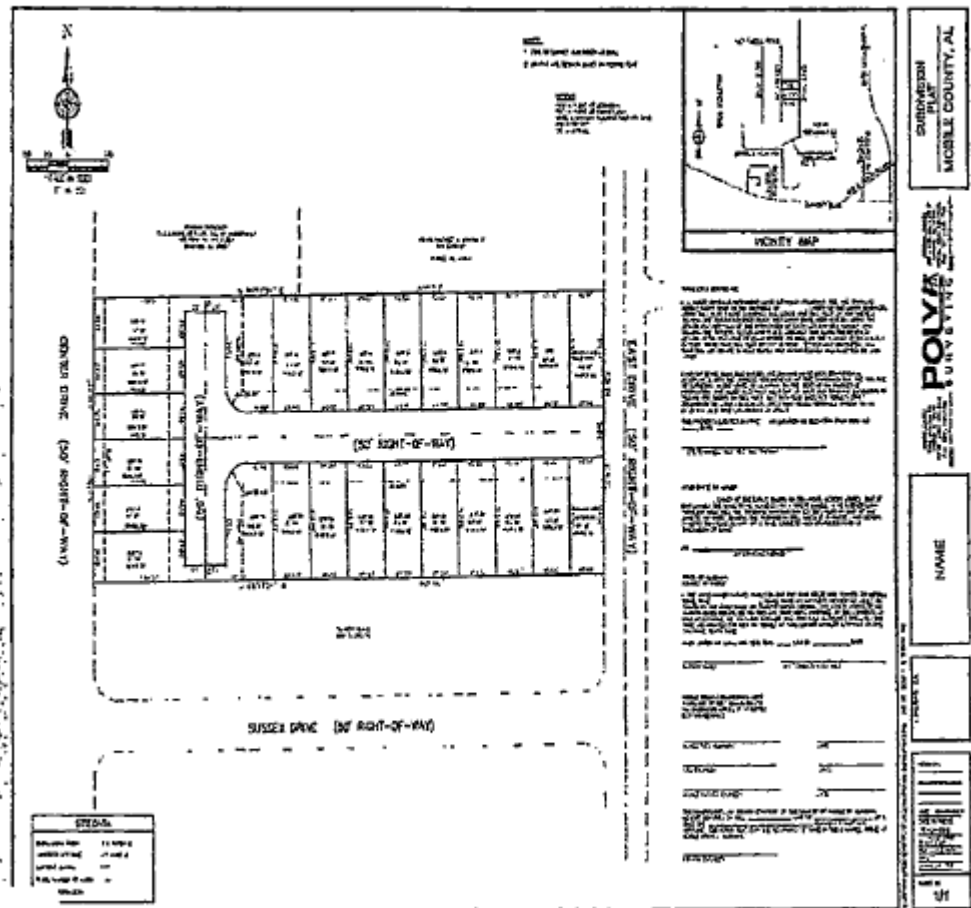
Sample Front Elevation



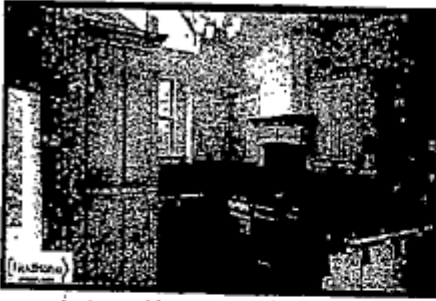
Sample floor plan



Neighborhood Plan – 24 lots

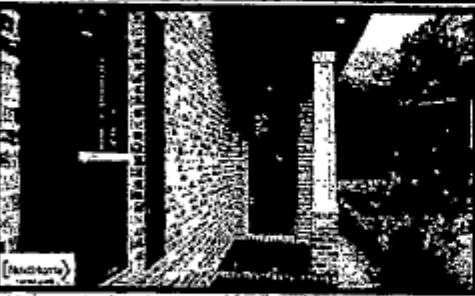


Lets look at the interior of the homes



- Desirable open floor plan
- Porcelain tiles
- Granite Countertops
- Custom cabinetry
- Hardwood floors
- Vaulted/Tray ceilings
- Smart home lighting and controls
- Crown molding
- Walk-in closets
- Double vanity with custom marble shower
- Jetted tubs

Villas at Springhill will have

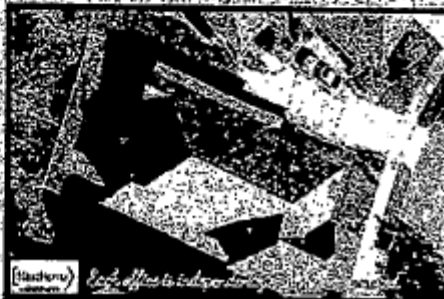
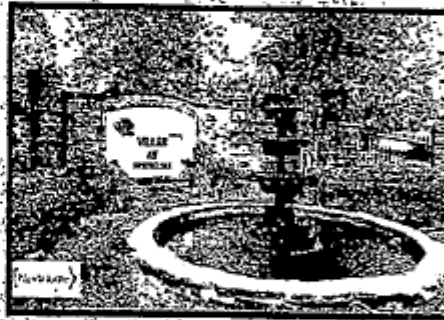


- 1800 sqft – 2300 sqft floor plan homes.
- Desirable open floor plan with large windows for natural lights
- Beautiful French country style design as depicted
- Exterior construction : Brick
- 10 ft ceiling height in main areas
- 3 to 4 bedroom
- Wood fencing at the rear/back yard
- 2 Car garage with additional space in front for parking spot for 2 additional cars
- Complementing the elegant master bedroom is a stylish tray ceiling and a luxurious master bath that includes dual vanities, a 6' free-standing tub, a glass enclosed marble shower, and a fantastic walk-in closet.
- Custom cabinets in kitchen complete with island and massive walk-in pantry

Welcome to the Villas at SpringHill



- Strictly managed HOA
- NO street parking
- HOA managed professional Landscaping including water fountain
- High credit rating requirement for tenants
- HOA mandated no sub leasing clause



ORDINANCE TO REZONE PROPERTY LOCATED AT THE SOUTH TERMINUS OF BOWDEN ROAD FROM R-1, RESIDENTIAL-AGRICULTURAL DISTRICT, TO I-1, LIGHT INDUSTRY DISTRICT. The following ordinance was held over until the regular meeting of November 30, 2021.

ORDINANCE: 64-040-2021

Sponsored by: Councilmember Reynolds

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

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

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

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA

The classification of said property is hereby changed from R-A, Residential-Agricultural District, to I-1, Light Industry District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in I-1, Light Industry 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

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with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a I-1, Light Industry District until all of the conditions set forth below have been complied with: 1) completion of the subdivision process; and 2) full compliance with all municipal codes and ordinances.

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

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 03-1037 through 37-1057 being introduced for the first time. The motion was seconded by Councilmember Jones and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

APPOINT LEAVIE D. KING, III TO THE ALABAMA SPECIAL CARE FACILITIES FINANCING AUTHORITY. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-1037-2021

Sponsored by: Councilmember Penn

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Leavie D. King, III is appointed to the Alabama Special Care Facilities Financing Authority of the City of Mobile effective immediately for a term ending November 8, 2027.

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory
Nays: None

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

RE-APPOINT EDDIE BURROW TO THE GOLF COURSE ADVISORY COMMITTEE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-1038-2021

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Eddie Burrow is re-appointed to the Golf Course Advisory Committee effective immediately for a term ending November 23, 2024.

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

Ayes: Penn, Carroll, Small, Reynolds, Scott 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.

CORRECT RESOLUTION 21-712 AWARDING A CONTRACT TO GAILLARD BUILDERS, INC., FOR THE CHURCH STREET CEMETERY WEST WALL REPAIRS TO SHOW THE CORRECT AMOUNT \$33,718.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 21-1039-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Resolution Number 21-712 adopted September 7, 2021, awarding a Contract to Gaillard Builders, Inc. for the Church Street Cemetery West Wall Repairs (Hurricane Sally), be corrected to show the correct contract amount as \$33,718.00

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 that the resolution be adopted, which was seconded by Councilmember Jones, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory
Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A BEER/WINE (OFF PREMISES ONLY) LICENSE FOR TILLMAN'S CORNER CHEVRON, 5412 U. S. HWY 90 W. (DISTRICT 4). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-1040-2021

Sponsored by: Councilmember Reynolds

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 Premise Only)

Submitted by: Midway Market, LLC

Location: Tillman's Corner Chevron
5412 Hwy. 90 West
Mobile, AL 36619

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory
Nays: None

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

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RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE FOR EDDIE'S MEXICAN AND HONDURAN RESTAURANT, 4451 GOVERNMENT BLVD. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-1041-2021

Sponsored by: Councilmember Reynolds

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: Restaurant Retail Liquor

Submitted by: Eddie's Mexican and Honduran Restaurant, LLC

Location: Eddie's Mexican and Honduran Restaurant
4451 Government Blvd.
Mobile, AL 36693

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory

Nays: None

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

AUTHORIZE REMOVAL OF WEEDS, GROUP #1621. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-1042-2021

A RESOLUTION DETERMINING WHAT OBJECTIONS SHALL BE ALLOWED AND WHAT OBJECTIONS SHALL BE OVERRULED TO THE REMOVAL OF NOXIOUS OR DANGEROUS WEEDS ON OR IN FRONT OF CERTAIN PARCELS OF LAND.

WHEREAS, notice has been duly given and posted at least five days prior to the date of this resolution in the manner provided by law offering full opportunity to all interested parties to object to the removal of noxious or dangerous weeds on the hereinafter described parcels of land, and the City Council of Mobile having held such public hearing in connection with the notices given and no objections having been filed or made by any of the interested parties; and

WHEREAS, Parcels Nos. 1 through 20 described in the resolution adopted on the 19th day of October, 2021, have not been cleared of noxious and dangerous weeds and continue to be public nuisances.

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

SECTION 1. It is hereby ascertained and determined that the dangerous and noxious weeds growing on the hereinafter described parcels of real property are public nuisances, and it is hereby ordered and directed that the employees of the City of Mobile assigned to that work promptly remove the weeds on such parcels of property:

PARCELS OR PIECES OF PROPERTY ON WHICH NOXIOUS OR DANGEROUS WEEDS ARE TO BE REMOVED:

MINUTES OF NOVEMBER 23, 2021

Parcels of real property located in the City of Mobile and more particularly described as Parcels Nos. 1 through 20, as described in the resolution adopted on the 19th day of October, 2021, and entitled: "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."

(Lot Cleaning Liens, Group No. 1621 on file in the office of the City Clerk).

SECTION 2. The employees of the City of Mobile assigned to the work required by this resolution are hereby expressly authorized to enter upon such described pieces of property for the purpose of removing the weeds authorized by this resolution to be removed. The owner of any of the above described pieces of property shall have the right to remove the weeds ordered by this resolution to be removed from this property provided such removal is done prior to the arrival of the employees of the City of Mobile against his property by reason of any action taken hereunder. An accurate account of the costs with respect to each piece of property shall be kept by the employees of the City of Mobile covering the costs of removing such weeds in front of or in front of or on each separate lot or parcel of land where the work is done by the City of Mobile or its employees, and promptly thereafter an itemized report in writing shall be made to the City Council showing such costs with respect to each separate lot or parcel of land but before the report is submitted to the City Council a copy of the itemized costs with respect to each such lot or parcel of land shall be posted for at least three days prior to such report on the door of the Council Chamber at the City Hall of Mobile, Alabama, together with a notice of the time when the report will be submitted to the City Council for confirmation.

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory

Nays: None

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

AUTHORIZE REMOVAL OF WEEDS, GROUP #1622. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-1043-2021

A RESOLUTION DETERMINING WHAT OBJECTIONS SHALL BE ALLOWED AND WHAT OBJECTIONS SHALL BE OVERRULED TO THE REMOVAL OF NOXIOUS OR DANGEROUS WEEDS ON OR IN FRONT OF CERTAIN PARCELS OF LAND.

WHEREAS, notice has been duly given and posted at least five days prior to the date of this resolution in the manner provided by law offering full opportunity to all interested parties to object to the removal of noxious or dangerous weeds on the hereinafter described parcels of land, and the City Council of Mobile having held such public hearing in connection with the notices given and no objections having been filed or made by any of the interested parties; and

WHEREAS, Parcels Nos. 1 through 18 described in the resolution adopted on the 19th day of October, 2021, have not been cleared of noxious and dangerous weeds and continue to be public nuisances.

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

SECTION 1. it is hereby ascertained and determined that the dangerous and noxious weeds growing on the hereinafter described parcels of real property are public nuisances,

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and it is hereby ordered and directed that the employees of the City of Mobile assigned to that work promptly remove the weeds on such parcels of property:

PARCELS OR PIECES OF PROPERTY ON WHICH NOXIOUS OR DANGEROUS WEEDS ARE TO BE REMOVED:

Parcels of real property located in the City of Mobile and more particularly described as Parcels Nos. 1 through 18, as described in the resolution adopted on the 19th day of October, 2021, and entitled: "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."

(Lot Cleaning Liens, Group No.1622 on file in the office of the City Clerk).

SECTION 2. The employees of the City of Mobile assigned to the work required by this resolution are hereby expressly authorized to enter upon such described pieces of property for the purpose of removing the weeds authorized by this resolution to be removed. The owner of any of the above described pieces of property shall have the right to remove the weeds ordered by this resolution to be removed from this property provided such removal is done prior to the arrival of the employees of the City of Mobile against his property by reason of any action taken hereunder. An accurate account of the costs with respect to each piece of property shall be kept by the employees of the City of Mobile covering the costs of removing such weeds in front of or in front of or on each separate lot or parcel of land where the work is done by the City of Mobile or its employees, and promptly thereafter an itemized report in writing shall be made to the City Council showing such costs with respect to each separate lot or parcel of land but before the report is submitted to the City Council a copy of the itemized costs with respect to each such lot or parcel of land shall be posted for at least three days prior to such report on the door of the Council Chamber at the City Hall of Mobile, Alabama, together with a notice of the time when the report will be submitted to the City Council for confirmation.

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory

Nays: None

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

ASSESS COST FOR REMOAL OF WEEDS, WEED LIEN GROUP 1617. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-1044-2021

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:

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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 1617 shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

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

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

Ayes: Penn, Carroll, Small, Reynolds, Scott 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 FOR OCTOBER 2021 AS PART OF THE MAYOR'S INCENTIVE PROGRAM; PAUL CALLEGARI. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1045-2021

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:

October 2021: Officer Paul Callegari

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

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL EVENTS RETAIL LICENSE TO LIT CIGAR LOUNGE. The following resolution was introduced by Councilmember Gregory.

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RESOLUTION: 37-1057-2021

Sponsored by: Councilmember Carroll

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

Type of application: Special Events Retail

Submitted by: Lit Cigar Lounge, Inc.

Location: Lit Cigar Lounge
258 Dauphin Street
Mobile, AL 36602

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory

Nays: None

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

RESOLUTIONS BEING INTRODUCED

AUTHORIZE A MASTER SERVICE AGREEMENT WITH VOLKERT, INC. FOR TIF DISTRICT STREETScape IMPROVEMENTS PROJECT; \$1,000,000.00. The following resolution was held over until the regular meeting of November 30, 2021.

RESOLUTION: 01-1046-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and on the behalf of the City of Mobile, an Alabama municipal corporation (the "OWNER") a Master Services Agreement with Volkert, Inc. (the "CONSULTANT") to perform certain professional project management, planning, programming, engineering and construction engineering and inspection services for the TIF District Streetscape Improvements Project (the "Work") as outlined in the agreement attached hereto and made a part hereof as though set forth in full herein. A copy of said executed agreement will be on file in the office of the City Clerk.

AUTHORIZE INTERGOVERNMENTAL AGREEMENT WITH MOBILE COUNTY COMMISSION FOR PLANNING & DESIGN OF THE AFRICATOWN WELCOME CENTER; \$150,000.00. The following resolution was held over until the regular meeting of November 30, 2021.

RESOLUTION: 01-1047-2021

Sponsored by: Councilmember Carroll 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, an Intergovernmental Agreement with Mobile County whereby Mobile County agrees to contribute \$150,000.00 to the City for planning and designing the Africatown Welcome Center, 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.

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APPROVE PURCHASE ORDER FOR FUEL FOR VARIOUS LOCATIONS. The following resolution was held over until the regular meeting of November 30, 2021.

RESOLUTION: 08-1048-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>296</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$21,523.10	(279229) PETROLEUM TRADERS CORPORATION
<u>301</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$20,242.25	(279229) PETROLEUM TRADERS CORPORATION
<u>306</u>	2022	(2050) EQUIPMENT SERVICES	MOTOR POOL UNLEADED FUEL (SEALED BID 5624)	\$21,358.50	(279229) PETROLEUM TRADERS CORPORATION
<u>311</u>	2022	(2050) EQUIPMENT SERVICES	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$21,358.50	(279229) PETROLEUM TRADERS CORPORATION
<u>316</u>	2022	(2050) EQUIPMENT SERVICES	4 th PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$21,358.50	(279229) PETROLEUM TRADERS CORPORATION
<u>317</u>	2022	(2050) EQUIPMENT SERVICES	4 th PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$21,358.50	(279229) PETROLEUM TRADERS CORPORATION
<u>321</u>	2022	(2050) EQUIPMENT SERVICES	4 th PRECINCT DIESEL FUEL (AL STATE CONTRACT)	\$20,317.50	(279229) PETROLEUM TRADERS CORPORATION
<u>322</u>	2022	(2050) EQUIPMENT SERVICES	4 th PRECINCT DIESEL FUEL (AL STATE CONTRACT)	\$20,317.50	(279229) PETROLEUM TRADERS CORPORATION

APPROVE PURCHASE ORDER TO CONSOLIDATED ELECTRICAL DISTRIBUTORS FOR 80 POLYMER CONCRETE BOXES AND COVERS FOR ELECTRICAL, \$35,292.80. The following resolution was held over until the regular meeting of November 30, 2021.

RESOLUTION: 08-1049-2021

Sponsored by: Mayor Stimpson

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

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1108</u>	2022	(2062) ELECTRICAL	80 QUAZITE POLYMER CONCRETE BOXES AND COVERS FOR ELECTRICAL (SEALED BID 5627)	\$35,292.80	<u>(276540) CONSOLIDATED ELECTRICAL DISTRIBUTORS</u>

AUTHORIZE CONTRACT AMENDMENT #5 WITH NEEL-SCHAFER, INC. FOR ENGINEERING SERVICES FOR MCGREGOR AVENUE WIDENING (AIRPORT BOULEVARD TO DAUPHIN STREET); \$50,125.00. The following resolution was held over until the regular meeting of November 30, 2021.

RESOLUTION: 21-1050-2021

Sponsored by: Councilmember Daves and Mayor Stimpson

WHEREAS, the City entered into a contract dated March 26, 2013 with Neel-Schaffer, Inc. for engineering services on the project known as McGregor Ave. Widening, (Airport Blvd. to Dauphin St.) Project, City of Mobile Project No. 2013-202-07, ALDOT Project No. STPMP-7508 (600); and

WHEREAS, the design fee cost is to be shared between the City of Mobile (20%) and the Alabama department of Transportation (80%); and

WHEREAS, the Contract amount for the engineering services are based on fee negotiations between the City of Mobile & Alabama Department of Transportation with Neel-Schaffer, Inc., and whereas, the current contract amount includes the original contract and previous contract amendments and totals \$559,307.27; and

WHEREAS, the contract provides on Page 23, Exhibit D that additional services may become necessary or desirable and “payment for extra work will be negotiated by supplemental agreement”, and Supplemental Agreement (No. 5), approved by the Alabama Department of Transportation, for professional engineering fees for design to adjust the amount of compensation to Neel-Schaffer, Inc. was negotiated, thereby increasing professional engineering fees by \$50,125.00 to a total of \$609,432.27; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby authorize the additional fee of \$50,125.00, for a total of \$609,432.27, to be paid to Neel-Schaffer, Inc. for engineering services on the McGregor Ave. Widening, (Airport Blvd. to Dauphin St.) Project.

ACCEPT DEED FOR THE THREE MILE CREEK HYDROLOGICAL RESTORATION PROJECT. The following resolution was held over until the regular meeting of November 30, 2021.

RESOLUTION: 23-1051-2021

Sponsored by: Councilmember Carroll and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby accepts a Tax Deed from the State of Alabama as needed for the Mobile Bay Shore Habitat Conservation and Acquisition Initiative Phase II NFWF Task 6 – Pre-Implementation Activities: Three Mile Creek (Area 3) Master Services Agreement National Fish and Wildlife Foundation (NFWF) Gulf Environmental Benefit Fund (GEBF) Grant No. 58042 CITY PROJECT NO. 2020-2045-05.

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

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VACATE STREETS WITHIN THE CARONDOLET APARTMENT COMPLEX (4612 SPRINGHILL AVE.). The following resolution was held over until the regular meeting of November 30, 2021.

RESOLUTION: 47-1052-2021

Sponsored by: Councilmember Gregory

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

1. The City Council does hereby vacate the public streets known as Carondolet Court South, Carondolet Court North, Carondolet Court East, Carondolet Court West, and a portion of Carondolet Court described as:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA; THENCE RUN N-00°-04'06"-E ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 11, 454.46 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N-00° 04' 06"-E, 33.48 FEET TO A POINT; THENCE RUN N-89°56'28"-E, LEAVING SAID QUARTER SECTION LINE, 100.50 FEET TO A POINT; THENCE RUN ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET, A CHORD OF N-44°35'25"-E 42.43 FEET, AN ARC DISTANCE OF 47.13 FEET TO A POINT; THENCE RUN S-00°07'04"-E, 99.62 FEET TO A POINT; THENCE RUN ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET, A CHORD OF N-45°37'24"-W 41.98 FEET, AN ARC DISTANCE OF 46.49 FEET TO A POINT; THENCE RUN N-00°01'31"-W, 6.50 FEET TO A POINT; THENCE RUN S-89°58'29"-W, 100.52 FEET TO THE POINT OF BEGINNING.

and an unnamed street described as:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA; THENCE RUN N-00°-04'06"-E ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 11, 195.00 FEET TO A POINT; THENCE RUN S-89°54'44"-E, LEAVING SAID QUARTER SECTION LINE, 225.49 FEET TO A POINT; THENCE RUN N-00°05'16"-E, 48.00 FEET TO A POINT; THENCE RUN S-89°54'44"-E, 149.96 FEET TO THE POINT OF BEGINNING; THENCE RUN N-00°09'11"-E, 51.76 FEET TO A POINT; THENCE RUN ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 24.98 FEET, A CHORD OF N-44°50'48"-W 35.34 FEET, AN ARC DISTANCE OF 39.26 FEET TO A POINT; THENCE RUN N-00°08'29"-E, 5.00 FEET TO A POINT; THENCE RUN N-89°51'28"-E, 59.94 FEET TO A POINT; THENCE RUN ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 462.81 FEET, A CHORD OF N-87°36'09"-E 37.57 FEET, AN ARC DISTANCE OF 37.58 FEET TO A POINT; THENCE RUN S-05°07'14"-E, 4.99 FEET TO A POINT; THENCE RUN ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, A CHORD OF S-42°11'44"-W 34.03 FEET, AN ARC DISTANCE OF 37.43 FEET TO A POINT; THENCE RUN S-00°09'50"-W, 53.49 FEET TO A POINT; THENCE RUN N-89°44'42"-W, 49.92 FEET TO THE POINT OF BEGINNING.

Said streets and right of ways being located within and adjacent to the Carondolet Apartments complex located at 4612 Springhill Ave., Mobile, AL 36608, and all being within the SE 1/4 of Section 11, T4S, R2W, City of Mobile, Mobile County, Alabama.

2. The following are the owners of all abutting lots or parcels of land to the streets being vacated:

a. Spring Hill Holding, LLC is the owner of the Carondolet Apartments composed of the properties known as Mobile County Revenue Commission Key Nos. 435639, 435602, 1662935, 1662926, 435620 and 435611.

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b. Geneva Gayles is the owner of a metes and bounds parcel abutting Carondolet Court North, pursuant to deed dated May 16, 2014 and recorded in Book 7154, Page 1262, of the records in the Office of the Judge of Probate of Mobile County, Alabama.

c. The City of Mobile is the owner of the property known as Mobile County Revenue Commission Key No. 434435.

d. Paul D. Carr is the owner of the property known as Mobile County Revenue Commission Key No. 1821930.

e. Kismet Investment, LLC, is the owner of the property known as Mobile County Revenue Commission Key No. 1860267.

3. There are no owners of other lots or parcels of land which will be cut off from access by virtue of the vacation of these public streets or otherwise denied reasonable and convenient way to a public road.

4. The City Council specifically finds that it is in the interest of the public that Carondolet Court South, Carondolet Court North, Carondolet Court East, Carondolet Court West, and the other rights of way and streets described hereinabove be vacated and the City Clerk is hereby instructed to file a copy of this Resolution with the Judge of Probate of Mobile County. Notice of the vacation of these streets has been given to all abutting property owners and to any entity known to have facilities or equipment such as utility lines, both aerial and buried, within the public right-of-way of the streets to be vacated. Any such entities with utility lines, equipment or facilities in place at the time of this vacation, shall have the right to continue to maintain, extend and enlarge their lines, equipment and facilities to the same extent as if the vacation had not occurred.

5. A copy of this Resolution shall be published once in a newspaper of general circulation in Mobile County no later than fourteen (14) days after the adoption of this Resolution.

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS – BURKETT. The following resolution was held over until the regular meeting of November 30, 2021.

RESOLUTION: 60-1053-2021

Sponsored by: Mayor Stimpson

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

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS – BRACY. The following resolution was held over until the regular meeting of November 30, 2021.

RESOLUTION: 60-1054-2021

Sponsored by: Mayor Stimpson

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

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS – CARIGLINO. The following resolution was held over until the regular meeting of November 30, 2021.

MINUTES OF NOVEMBER 23, 2021

RESOLUTION: 60-1055-2021

Sponsored by: Mayor Stimpson

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

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO CONSIDER ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO MYRA J. DARRINGTON, D/B/A SCOTT'S CARRIER, LLC, TO OPERATE A SEDAN SERVICE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 41-1056-2021

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

NOTICE OF HEARING ON PROPOSED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SEDAN SERVICE

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Myra J. Darrington, d/b/a Scott's Carrier, LLC, to operate a sedan service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza, located at 205 Government Street, Mobile, Alabama, on December 7, 2021, at 10:30 a.m. At such time and place, all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

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

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

Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as December 7, 2021.

ANNOUNCEMENTS:

All Councilmembers wished citizens a happy Thanksgiving.

Councilmember Penn invited the public to attend the Leflore-Toulminville Alumni Association's Thanksgiving parade this Saturday.

Councilmember Gregory reported that an extended road closure will affect Chalet Drive East until December 5, 2021.

Councilmember Gregory shared updates regarding the pavilions project in Langan Park.

Councilmember Gregory reminded citizens that the District 7 Christmas meeting will be held at the Mobile Museum of Art on December 7, 2021, at 6:00 p.m.

MINUTES OF NOVEMBER 23, 2021

Councilmember Gregory announced that a Public Safety Committee Meeting will be held on December 14, 2021

Councilmember Carroll asked Shonnda Smith, Senior Director of the Parks and Recreation, to share information about the City of Mobile's various basketball programs.

Councilmember Carroll reported that he participated in the Senior Bowl's Turkey Bowl this past weekend.

Councilmember Jones thanked the Administration for attending the District 6 community meeting.

Councilmember Jones shared that five districts of the seven council are made up of a minority-majority.

Councilmember Small shared that the ribbon cutting event for the Baltimore Street rehab project was a success.

Councilmember Small announced a "Day in District Three" will be held on December 11, 2021 at 9:00 a.m. The Christmas parade will also take place on this day.

Councilmember Small shared that a community holiday event at Palmer Pillans middle school will be held on December 14, 2021 at 2:00 p.m.

Shonnda Smith, Senior Director of the Parks and Recreation Department, announced that on November 27, 2021, a quarterly concert will be held at Medal of Honor Park. Also, an Iron Bowl block party, Small Business Saturday in Downtown and a holiday bazaar at Cooper Riverside Park will also be held.

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

Ayes: Penn, Carroll, Small, Reynolds, Scott and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:31 a.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK