

MUNICIPAL BUILDING, MOBILE, ALABAMA, MAY 23, 2023

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, May 23, 2023, at 9:00 a.m.

Councilmembers:

Present: Penn, Carroll, Reynolds, Daves, and Gregory
Absent: Small

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 VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, MAY 23, 2023

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, May 23, 2023, at 10:30 a.m., for the regular meeting.

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

Pastor John C. George, Episcopal Church of the Good Shepherd, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER

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

APPROVAL OF MINUTES

The minutes of the meetings of May 9 & 16, 2023 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson stated that the Mobile Historic Development Commission hosted a graveyard restoration seminar last Saturday.

Mayor Stimpson announced that the Mobile Historic Development Commission will be hosting the following events for “Historic Preservation Month”:

- “Mobile Historic Trivia Night” on May 25, 2023, at Café 219 from 6:30 p.m. – 8:30 p.m.
- Seminar to restore historic wooden windows by James McGinnis on May 24, 2023, at the Ben May Library from 6:00 p.m. – 7:00 p.m.

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Mayor Stimpson thanked SSAB for the jobs they provide for the citizens of Mobile.

NOTE: Daniel Corte, Executive Director of Mobile Sports Authority gave an update about ten portable basketball / volleyball courts purchased by the City for the Convention Center.

Chief Paul Prine, Chief of the Mobile Police Department, presented Christopher Uptagrafft as Officer of the Month for April 2023.

Chief Jeremy Lami, Chief of the Mobile Fire Department, presented

Mayor Stimpson read a proclamation declaring May 14, 2023 – May 20, 2023, as “National Police Week” in Mobile.

NOTE: Lawrence Battiste, Public Safety Executive Director, announced that he will be resigning from his current position with Mobile and thanked the Mayor and the Administration for allowing him to serve the citizens of Mobile.

ADOPTION OF THE AGENDA:

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

APPEALS

Request of Mary Woods for a waiver of the Noise Ordinance at 1916 Springhill Avenue on May 28, 2023, from 4:30 p.m. – 10:00 p.m. (District 1).

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

Request of Kim Hall for a waiver of the Noise Ordinance at 2051 Clemente Court on June 3, 2023, from 4:00 p.m. – 10:00 p.m. (District 1).

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

Request of Houston Owens for a waiver of the Noise Ordinance at Herndon-Sage Park on July 30, 2023, from 9:00 a.m. – 8:00 p.m. (District 1).

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

Request of Nija Hill for a waiver of the Noise Ordinance at Cathedral Square on May 27, 2023, from 1:00 p.m. – 5:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

Request of Gulf Coast Ethnic & Heritage Jazz Festival, Inc. at 401 Civic Center Drive on July 29 – 30, 2023, from 4:00 p.m. – 10:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

Request of Steve Taylor, Jr. for a waiver of the Noise Ordinance at Medal of Honor Park on May 27, 2023, from 7:30 a.m. – 10:00 a.m. (District 6).

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

Request of Aledia Johnson for a waiver of the Noise Ordinance at Langan Park on May 27, 2023, from 7:00 a.m. – 12:00 p.m. (District 7).

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

PUBLIC HEARINGS

PUBLIC HEARING TO REZONE PROPERTY AT THE NORTH SIDE OF GOVERNMENT STREET, 140'+/- EAST OF SOUTH ANN STREET FROM B-1, AND B-2 TO B-2 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to rezone property at the North side of Government Street, 140'+/- east of South Ann street from B-1, and B-2 to B-2 (District 2) and asked if there was anyone present to speak for or against this matter.

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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 REZONE PROPERTY LOCATED AT 908 KENDRICK DRIVE FROM R-1 TO B-3 (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 908 Kendrick Drive from R-1 to B-3 (District 7) and asked if there was anyone present to speak for or against this matter.

Todd Dempsey, 908 Kendrick Street, stated he was here to answer any questions the Council had about the property.

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 DECLARE THE STRUCTURE AT 1324 JESSIE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1324 Jessie Street a public nuisance and order if demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1163 GHENT 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 1163 Ghent Street a public nuisance and order if demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 406 MICHIGAN 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 406 Michigan Avenue a public nuisance and order if demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1251 STATE 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 1251 State Street a public nuisance and order if demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1353 WINDSOR AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1353 Windsor Avenue a public nuisance and order if demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 7630 AVENUE C 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 7630 Avenue C a public nuisance and order if demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 2781 GRAHAM ROAD 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 2781 Graham Road a public nuisance and order if demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

NON-AGENDA ITEMS:

Timothy Hollis, 1924 Seale Street, offered comments about executive sessions, order of rules, expediting certain communities for improvement work over others, spending unnecessary funds in District 1 on Hwy 45.

Malessa, 8108 Sylvan Way, expressed the need for a Tillmans Corner homeless resource building.

Jess Banx, 306 Stocking Street, Apt B., spoke about accessibility to mental health resources in Mobile.

Pastor Valenia Green, 603 Delaware Street, Discretionary money for nonprofits.

Valerie Longa, 700 Government Street, shared information about the 2023 Summer library celebration at the Mobile Public Library.

Robert Clopton, 2612 Charlotte Oaks Drive, provided information about "Project Wear Orange" to stop gun violence in Mobile.

ORDINANCES HELD OVER

ORDINANCE TO AMEND CHAPTER 39, ARTICLE X, DIVISION 1 AND CHAPTER 22 “FIREWORKS” MOBILE CITY CODE. The following ordinance which was read and introduced at the regular meeting of April 25, 2023, and held over until the regular meetings of May 2, 2023, May 16, 2023, and May 23, 2023, was called up by the Presiding Officer.

ORDINANCE: 22-021-2023

Sponsored by: Mayor Stimpson

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

SECTION I. THE CODE OF ORDINANCES OF THE CITY OF MOBILE, AT CHAPTER 39, ARTICLE X, DIVISION 1 AND CHAPTER 22, ARTICLE II is hereby amended as follows:

Chapter 39, Article X, Division 1 - Generally

Chapter 39, Article X, Division 1 is hereby amended at Section 39-201, Fireworks during Mardi Gras to read as follows:

Sec. 39-201. Fireworks during Mardi Gras.

(a) Definitions.

(1) For purposes of this section, the term "Fireworks" shall include Fireworks as defined by the International Fire Code, as adopted by the City of Mobile, including Novelties and Sparkling Devices, as defined in Ala. Code 1975, Section 8-17-210 (10) and (15).

(2) For purposes of this section, the Period Observed as Mardi Gras shall run from 12:01 a.m. on the fourteenth day prior to Ash Wednesday to 6:00 a.m. on Ash Wednesday.

(3) For purposes of this section, "public" shall be defined as an area open to all persons, maintained by or for the people at large, including but not limited to public streets, sidewalks, alleyways, and buildings.

(b) Use. It shall be unlawful and an offense against the city for any person to use any type of Fireworks as defined in this section in public in the city, during the Period Observed as Mardi Gras.

(c) *Minors.* It shall be unlawful and an offense against the city for any parent to allow a minor child to use Fireworks, as defined in this section, in public in the city during the Period Observed as Mardi Gras.

SECTION II.- Chapter 22, Fire Prevention, Article II, In General, is hereby amended by adding a new Section 22-20 as follows:

Sec. 22-20. – Fireworks

a) It shall be unlawful for any person to possess, store, offer for sale, sell at retail, or use or explode any Fireworks. Fireworks shall include Fireworks as defined by the International Fire Code, as adopted by the City of Mobile. The term "Fireworks" shall not include Novelties and Sparkling Devices, as defined in Ala. Code of 1975, Section 8-17-210 (10) and (15), the sale and use of which shall be allowed.

b) Notwithstanding the provisions of subsection (a) of this section, fireworks display reviews shall be conducted for any public or private fireworks display to determine:

1) All current provisions of NFPA and the International Fire Code, as adopted by the City of Mobile, are met; and

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2) Proof is shown to the fire official that the display being conducted is done by a competent operator who has been approved by the fire official and that the display is of such character and so located, discharged, or fired so as not to be hazardous to property or endanger any person.

c) A fee shall be assessed at the time of the application for a fireworks display review as set forth in the schedule of fees for the Mobile Fire and Rescue Department. A copy of the fee schedule is available from the office of the city clerk or on the website for the city.

d) The foregoing notwithstanding, the fire chief may, at any time and from time to time, suspend the outdoor use of Novelties and Sparkling Devices inside the city limits where he/she determines, in his/her sole discretion, that drought conditions, other weather-related conditions, or the promotion and preservation of public safety warrant suspension. It shall be unlawful to use Novelties and Sparkling Devices during any such suspension period after a verbal warning to cease from fire or law enforcement officers and shall subject the Novelties and Sparkling Devices to seizure and destruction in accordance with subsection (e) below.

e) Fireworks possessed, manufactured, stored, sold, handled, or used in violation of this section shall be subject to seizure and destruction by the fire chief or his/her designees or subordinates.

SECTION III - Miscellaneous

a) The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

b) That the City Clerk of the City of Mobile is hereby authorized and directed to advertise the adoption of this Ordinance as required by law.

c) This Ordinance shall be in full force and effect within the City of Mobile from and after its adoption and publication as required by law.

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

Councilmember Reynolds moved to amend the resolution as follows:

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

SECTION I. THE CODE OF ORDINANCES OF THE CITY OF MOBILE, AT CHAPTER 39, ARTICLE X, DIVISION 1, SECTION 39-201 is hereby amended and restated in full as follows:

Sec. 39-201. Fireworks during Mardi Gras.

(a) Definitions.

- (1) For purposes of this section only, the term "fireworks" shall include fireworks as defined by the International Fire Code, as adopted by the City of Mobile, including Novelties and Sparkling Devices, as defined in ALA. CODE § 8-17-210 (10) and (15).
- (2) For purposes of this section, the "Period Observed as Mardi Gras" shall run from 12:01 a.m. on the fourteenth day prior to Ash Wednesday to 6:00 a.m. on Ash Wednesday.
- (3) For purposes of this section, "public" shall be defined as an area open to all persons, maintained by or for the people at large, including but not limited to public streets, sidewalks, alleyways, and buildings.

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(b) Use. It shall be unlawful and an offense against the city for any person to use any type of fireworks as defined in this section in public in the city, during the Period Observed as Mardi Gras.

SECTION II. THE CODE OF ORDINANCES OF THE CITY OF MOBILE, AT CHAPTER 22, ARTICLE II is hereby amended by adding a new Section 22-20 as follows:

Sec. 22-20. – Fireworks.

- (a) It shall be unlawful for any person to possess, store, offer for sale, sell at retail, or use or explode any fireworks. Fireworks shall include fireworks as defined by the International Fire Code, as adopted by the City of Mobile. The term “fireworks” shall not include Novelties and Sparkling Devices, as defined in ALA. CODE § 8-17-210 (10) and (15), the sale and use of which shall be allowed at any time subject to the provisions of Mobile City Code § 39-201 and subsection (d) of this section.
- (b) Notwithstanding the provisions of subsection (a) of this section, proximate audience displays as set forth in ALA. CODE § 8-17-216.1 shall be legal subject to a fireworks display review which shall be conducted by the City of Mobile Fire Chief or his/her designee(s) (the “fire official”) for any such display to determine: (1) all current provisions of the National Fire Protection Association and the International Fire Code, as adopted by the City of Mobile, are met; and (2) proof is shown to the fire official that the display being conducted is done by a competent operator approved by the fire official and that the display is of such character and so located, discharged, or fired so as not to be hazardous to property or endanger any person.
- (c) A fee shall be assessed at the time of any application for a fireworks display review as set forth in the schedule of fees for the Mobile Fire and Rescue Department. A copy of the fee schedule is available from the office of the city clerk or on city website.
- (d) The foregoing notwithstanding, the fire official may, at any time and from time to time, suspend the outdoor use of all fireworks inside the city limits where he/she determines, in his/her sole discretion, that drought conditions, other weather-related conditions, or the promotion and preservation of public safety warrant suspension. It shall be unlawful to use all fireworks during any such suspension period after a verbal warning to cease from fire or law enforcement officers and shall subject all fireworks to seizure and destruction in accordance with subsection (e) below.
- (e) Fireworks possessed, manufactured, stored, sold, handled, or used in violation of this section shall be subject to seizure and destruction by the fire official.
- (f) Notwithstanding the foregoing, consumer-grade fireworks as defined in ALA. CODE § 8-17-210(6) shall be lawful for any person to possess, store, or use or explode each year on: (1) New Year’s Eve and New Year’s Day; and (2) July 3-4. This subsection shall not apply in the event the fire official has suspended the outdoor use of fireworks under the foregoing subsection (d).

SECTION III. MISCELLANEOUS

- (a) The provisions of this ordinance are severable. If any part of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.
- (b) That the City Clerk of the City of Mobile is hereby authorized and directed to advertise the adoption of this ordinance as required by law.
- (c) This ordinance shall be in full force and effect within the City of Mobile from and after its adoption and publication as required by law.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

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Nays: None

The Presiding Officer declared the amendment adopted.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

CONSENT RESOLUTIONS HELD OVER

DECLARE THE STRUCTURE AT 2663 GLASS AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced and read at the regular meeting of March 21, 2023, and held over until the regular meeting May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 40-304-2023

Sponsored by: Councilmember Penn

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 2663 Glass 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, 7, 8,12,14 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 **2663 Glass Avenue described as:**

LOT 669 TRINITY GDNS 4TH ADD MBK 4 P 195#SEC 44T4S R1W.#MP29 02 44 0 009

Parcel Number: 29 02 44 0 009 562

Last Assessed to: HEIR OF EDDIE & KATIE DENNIS, C/O LEON DENNIS

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 shall be published in the manner and as prescribed for the publication of municipal 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 to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

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Ayes: Penn, Carroll, Reynolds, Daves, 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 1254 ESLAVA LANE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced and read at the regular meeting of March 21, 2023, and held over until the regular meeting May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 40-305-2023

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article 11 of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 1254 Eslava Lane 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 dangerous and unsafe to the extent that It is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8,12,14 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 C11Y COUNCIL OF THE CITY OF MOBILE that the structure at **1254 Eslava Lane described as:**

LOT 27 BLK 4 FULTON RIDGE ESTS MBK 4 PG 110 #SEC 32T4S R1W #MP29 11 32 4003

Parcel Number: 29 11 32 4 003 044

Last Assessed to: VINCENT L & NONNIE WI PARKER

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory
Nays: None

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

RESOLUTIONS HELD OVER

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AUTHORIZE AGREEMENT BETWEEN THE CITY OF MOBILE, ALDOT, AND THE MOBILE COUNTY COMMISSION FOR REGIONAL TRANSPORTATION OPERATIONS PROGRAM CONGESTION MANAGEMENT. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-566-2023

Sponsored by: Mayor Stimpson

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

That the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

Traffic signal upgrades for the City of Mobile and Mobile County (PTZ Cameras, replacement of cabinets, detection, etc.) for the RTOP Program; Project# CRPMB-STPMB-NR23(); CPMS Ref# 100076377 and 100076381.

Which agreement is before this Council, and that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and the official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and acting Clerk of the City of Mobile, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City named therein, at a regular meeting of such Council held on the 16th day of May, 2023 , and that such resolution is on file in the City Clerk's Office.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

AUTHORIZE EXCLUSIVE FRANCHISE AGREEMENT WITH NEUTRON HOLDINGS, INCC., D/B/A LIME. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-567-2023

Sponsored by: Mayor Stimpson

WHEREAS, proposals for the operation of a shared micromobility device system and the deployment of micromobility devices were solicited in a Request for Proposals posted on November 3, 2022 [RFP 2022 - 5743]; and,

WHEREAS, following the receipt of proposals a committee evaluated each proposal, selected Neutron Holdings, Inc. d/b/a Lime as having submitted the proposal that best met the City's needs and objectives, and determined that Neutron Holdings, Inc. d/b/a Lime best demonstrated the ability to provide innovative, affordable and reliable services; and,

WHEREAS, section 220 of the Constitution of Alabama provides that no person, firm, association, or corporation shall be authorized or permitted to use the streets, avenues,

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alleys, or public places of any city for the operation of a private enterprise without first obtaining the consent of the proper authorities of the city; and,

WHEREAS, section 39-19-2 of the Code of Alabama provides that a shared micromobility device system may not operate or deploy shared micromobility devices on the public highways and bikeways without first obtaining authorization or permission from the applicable municipality in which the shared micromobility device system will be operated; and,

WHEREAS, section 11-44C-29 of the Code of Alabama provides that no resolution or ordinance granting any person, firm or corporation any franchise or right to use the streets, public highways, thoroughfares or public ways of the City shall take effect and be enforced until thirty (30) days after final enactment of same by the Council and publication of said resolution or ordinance in full once a week for three consecutive weeks in a newspaper of general circulation in the City.

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

1. That the Franchise Agreement for Use of City Streets and Rights-of-Way for Shared Mobility Services Between the City of Mobile, Alabama and Neutron Holdings, Inc., d/b/a Lime, is hereby approved by the Council, and the Mayor and the City Clerk are authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the said Franchise Agreement and to take all actions necessary to effectuate said Agreement. A copy of said Franchise Agreement is on file in the office of the City Clerk.

2. That Neutron Holdings, Inc. d/b/a Lime is hereby authorized and granted permission to operate a shared micromobility device system and deploy shared micromobility devices on the public highways, streets, and bikeways of the City of Mobile pursuant to and in accordance with the terms and conditions of the Franchise Agreement.

3. That this Resolution shall take effect thirty (30) days from the date it is adopted in accordance with section 11-44C-29 of the Code of Alabama.

4. That this Resolution shall be published in full once a week for three consecutive weeks in a newspaper of general circulation published in the City of Mobile.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

AUTHORIZE AGREEMENT BETWEEN THE CITY OF MOBILE AND BOARD OF SCHOOL COMMISSIONERS OF MOBILE COUNTY TO RETAIN SERVICES OF THE GULF COAST TECHNOLOGY CENTER. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-568-2023

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, the Agreement between the City of Mobile – Gulf Coast Technology Center and the Board of School Commissioners of Mobile County, Alabama, to retain the services of the Gulf Coast

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Technology Center to assess, monitor and link juveniles demonstrating negative and/or violent behavior and his/her families with community agencies that provide enhanced education, behavioral and socialization skills, and to perform all acts necessary in connection therein, 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 Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

AUTHORIZE AGREEMENT BETWEEN THE CITY OF MOBILE, THE MOBILE COUNTY COMMISSION, AND AIRBUS AMERICAS, INC. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-569-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council (the "City Council") of the City of Mobile, Alabama (the "City"), as follows:

Section 1. The City Council, upon evidence duly presented to and considered by it, has found and determined, and does hereby find, determine and declare as follows:

(a) Pursuant to the applicable laws of the State of Alabama, the City and **Airbus Americas, Inc.**, a Delaware corporation (the "Company") have agreed to the terms of that certain Project Agreement to be dated the date of delivery (the "Agreement"), as set forth hereinafter, for the purposes referenced therein.

(b) The Mobile Airport Authority ("MAA") intends to construct a new facility located at the Brookley Aeroplex in the City of Mobile (the "New Facility") with an estimated Capital Investment of Seven Hundred Million Dollars (\$700,000,000).

(c) The Company wishes to lease the New Facility and expand its production of A320 aircraft (the "Project").

(d) As part of the Project, it is expected that the Company (or its affiliates) will employ at least one thousand (1,000) additional full-time employees, with a total direct capital investment in the Project by the Company estimated to be approximately One Hundred Fifty Million Dollars (\$150,000,000) within the timelines and subject to the recapture payment obligations of the Company provided in the Agreement.

(e) In reliance on the Company's representations of the capital investment by the Company, employment and wage levels provided by the Company, and the development, performance, and operation of the Project as described herein, and in consideration of the economic impact, the increased tax revenues, and other benefits to be received by the City and its citizens, the City has committed to make available to the Company certain incentives in the manner described in the Agreement, subject to applicable State and Federal laws and to certain recapture provisions as set forth in the Agreement. The City will make available to the Company Ten Million Dollars (\$10,000,000) (the "Incentive") to reimburse the Company for costs and capital expenses: (i) incurred in leasing, developing, constructing, and equipping the Project, (ii) to support the workforce development, recruiting and training efforts in Mobile County, and (iii) in providing the amenities need to

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support the continued workforce recruiting and current employee retention efforts at the Brookley Aeroplex.

(f) The City will make multiple payments for the benefit of the Company in ten (10) installments. The first installment payment, in the amount of Five Million Dollars (\$5,000,000), will be made by the City within thirty (30) days after the Company Commences Operations (as defined in the Agreement). The City will make up to nine (9) additional annual installment payments to the Company, in the amount of Five Hundred Fifty-five Thousand, Five Hundred

Fifty-five and 55/100 Dollars (\$555,555.55), on the following nine (9) anniversaries of the initial installment payment date.

(g) The Incentive will benefit the Company in consideration of the Company's development of the Project, subject to fulfillment by the Company of certain commitments as described in the Agreement.

(h) The City is authorized to do any of the actions or undertakings referenced in Section 94.01 of the Constitution of Alabama of 1901 (as amended) ("Section 94.01" or "Amendment 772").

(i) The City is authorized under Section 94.01 to grant public funds or things of value to or in aid of any private entity for the purpose of promoting the economic development of the City.

(j) Pursuant to and for the purposes of Section 94.01, it is necessary, desirable and in the public interest for the City to provide the Incentive to the Company as set forth in the Agreement.

(k) The provision of the Incentive to the Company for the purposes specified in the Agreement will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

(l) (1) On May 3, 2023, the City caused to be published in the newspaper with the largest circulation in the City, the notice required by Section 94.01(c)(2).

(2) The information set forth in said notice is true and correct.

(3) Publication of said notice is hereby ratified and confirmed.

Section 2. The City Council does hereby approve, adopt, authorize, ratify and confirm:

(a) the agreements, covenants, and undertakings of the City set forth in the Agreement; and

(b) the terms and provisions of the Agreement, in substantially the form submitted to the City Council.

Section 3. The Mayor is hereby authorized to execute and deliver the Agreement for and on behalf of and in the name of the City. The Clerk is hereby authorized and directed to affix the official seal of the City to the Agreement and to attest the same.

Section 4. The Mayor and the officers of the City are each hereby authorized to take all such actions, and execute, deliver and perform all such agreements, documents, instruments, notices, and petitions and proceedings, with respect to the Agreement, as the Mayor and such officers shall determine to be necessary or desirable to carry out the provisions of this Resolution and the Agreement and to duly and punctually observe and perform all agreements and obligations of the City under the Agreement.

Section 5. All prior actions taken, and agreements, documents or notices executed and delivered, by the Mayor or any officer or member of the City Council or other representative of the City, in connection with the agreements, covenants, and undertakings of the City

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hereby approved, or in connection with the preparation of the Agreement and the terms and provisions thereof, are hereby approved, ratified, and confirmed.

Section 6. All resolutions, orders, or parts of any thereof, of the City Council in conflict or inconsistent with any provision of this Resolution hereby are, to the extent of such conflict or inconsistency, repealed.

Section 7. This Resolution shall take effect immediately.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over for one week until the regular meeting of May 30, 2023.

AUTHORIZE AGREEMENT BETWEEN THE CITY OF MOBILE, THE MOBILE COUNTY COMMISSION, AND VT-MAE. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-570-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council (the "City Council") of the City of Mobile, Alabama (the "City"), as follows:

Section 1. The City Council, upon evidence duly presented to and considered by it, has found and determined, and does hereby find, determine and declare as follows:

(a) Pursuant to the applicable laws of the State of Alabama, the City and **VT Mobile Aerospace Engineering, Inc.**, an Alabama corporation (the "Company") have agreed to the terms of that certain Project Agreement to be dated the date of delivery (the "Agreement"), as set forth hereinafter, for the purposes referenced therein.

(b) The Company has made a business decision to further develop, expand operations and add additional capacity to convert and modify Airbus passenger aircrafts into freight aircrafts at the Brookley Aeroplex in the City of Mobile (the "Project").

(c) As part of the Project, it is expected that the Company will employ at least two hundred (200) additional full-time employees, with a total capital investment required for the Project by the Company estimated to be approximately Five Hundred Ten Thousand Dollars (\$510,000.00) within the timelines provided in the Agreement.

(d) In reliance on the Company's representations of the capital investment by the Company, employment and wage levels provided by the Company, and the development, performance, and operation of the Project as described herein, and in consideration of the economic impact, the increased tax revenues, and other benefits to be received by the City and its citizens, the City has committed to make available to the Company certain incentives in the manner described in the Agreement, subject to applicable State and Federal laws and to certain recapture provisions as set forth in the Agreement. The City will make available to the Company One Hundred Eighty-Seven Thousand, Five Hundred Dollars (\$187,500.00) (the "Incentive") to reimburse the Company for costs and capital expenses incurred in developing, constructing, and equipping the Project. The Company will be a direct beneficiary of the Agreement.

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(e) The City will make multiple payments for the benefit of the Company in five (5) installments. The first installment payment, in the amount of Thirty-Seven Thousand, Five Hundred Dollars (\$37,500), will be made by the City within thirty (30) days after the Company provides the City with a Certificate of Compliance (as defined in the Agreement) certifying that the Company has met the Jobs Target by the Jobs Target Date (each as defined in the Agreement). The City will make up to four (4) additional annual installment payments to the Company, in the amount of Thirty-Seven Thousand, Five Hundred Dollars (\$37,500.00), on the following four (4) anniversaries of the initial installment payment date.

(f) The Incentive will benefit the Company in consideration of the Company's development of the Project, subject to fulfillment by the Company of certain commitments as described in the Agreement.

(g) The City is authorized to do any of the actions or undertakings referenced in Section 94.01 of the Constitution of Alabama of 1901 (as amended) ("Section 94.01" or "Amendment 772").

(h) The City is authorized under Section 94.01 to grant public funds or things of value to or in aid of any private entity for the purpose of promoting the economic development of the City.

(i) Pursuant to and for the purposes of Section 94.01, it is necessary, desirable and in the public interest for the City to provide the Incentive to the Company as set forth in the Agreement.

(j) The provision of the Incentive to the Company for the purposes specified in the Agreement will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

(k) (1) On May 3, 2023, the City caused to be published in the newspaper with the largest circulation in the City, the notice required by Section 94.01(c)(2).

(2) The information set forth in said notice is true and correct.

(3) Publication of said notice is hereby ratified and confirmed.

Section 2. The City Council does hereby approve, adopt, authorize, ratify and confirm:

(a) the agreements, covenants, and undertakings of the City set forth in the Agreement; and

(b) the terms and provisions of the Agreement, in substantially the form submitted to the City Council.

Section 3. The Mayor is hereby authorized to execute and deliver the Agreement for and on behalf of and in the name of the City. The Clerk is hereby authorized and directed to affix the official seal of the City to the Agreement and to attest the same.

Section 4. The Mayor and the officers of the City are each hereby authorized to take all such actions, and execute, deliver and perform all such agreements, documents, instruments, notices, and petitions and proceedings, with respect to the Agreement, as the Mayor and such officers shall determine to be necessary or desirable to carry out the provisions of this Resolution and the Agreement and to duly and punctually observe and perform all agreements and obligations of the City under the Agreement.

Section 5. All prior actions taken, and agreements, documents or notices executed and delivered, by the Mayor or any officer or member of the City Council or other representative of the City, in connection with the agreements, covenants, and undertakings of the City hereby approved, or in connection with the preparation of the Agreement and the terms and provisions thereof, are hereby approved, ratified, and confirmed.

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Section 6. All resolutions, orders, or parts of any thereof, of the City Council in conflict or inconsistent with any provision of this Resolution hereby are, to the extent of such conflict or inconsistency, repealed.

Section 7. This Resolution shall take effect immediately.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory
Nays: None

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

ASSENT TO THE ANNEXATION OF CERTAIN PROPERTIES BY THE CITY OF SEMMES. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 02-571-2023

Sponsored by: Mayor Stimpson

WHEREAS, the City of Semmes, a municipal corporation, has undertaken to annex certain properties adjacent to Schillinger Road, or in the case of some of the properties intends to exercise its rights to annex certain properties pursuant to section 11- 42-21 of the Code of Alabama, said properties being identified by the following Parcel Key Numbers:

R022407360000024.000	R022407360000025.000	R022407360000025.001
R022407360000026.000	R022701010000001.003	R022701010000001.000
R022803062000003.000	R022803062000004.01	R022803062000004.000
R022803062000003.001		

WHEREAS, all of the properties described above are located in the overlapping police jurisdictions of the City of Mobile and the City of Semmes. A map showing the location of the properties is attached to this Resolution.

WHEREAS, the City of Semmes has requested that the City of Mobile assent to the annexation of said properties by the City of Semmes pursuant to section 11-42-21(c) of the Code of Alabama.

WHEREAS, in the spirit of mutual cooperation between the two cities the City of Mobile agrees to the annexation of said properties by the City of Semmes.

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

1. That pursuant to section 11-42-21(c) of the Code of Alabama the City of Mobile does hereby assent to the annexation by the City of Semmes of the properties identified by the following Parcel Key Numbers:

R022407360000024.000	R022407360000025.000	R022407360000025.001
R022407360000026.000	R022701010000001.003	R022701010000001.000
R022803062000003.000	R022803062000004.01	R022803062000004.000
R022803062000003.001		

such that upon completion of the annexation process the corporate limits of the City of Semmes will be extended and rearranged to embrace and include the property and the property will become a part of the corporate area of the City of Semmes, all as contemplated by and in accordance with section 11-42-21(c).

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2. This Resolution is effective upon the execution by both parties of the Memorandum of Understanding with the City of Semmes and the City of Mobile attached hereto as Exhibit A.

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

Ayes: Penn, Carroll, Reynolds, Daves, 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 SANSOM EQUIPMENT CO., FOR 2 STREET SWEEPERS FOR PUBLIC SERVICES; \$552,588.00. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-572-2023

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>8361</u>	2023	(F7000) MOTOR POOL	2 ELGIN PELICAN STREET SWEEPERS FOR PUBLIC SERVICES (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$552,588.00	(390715) <u>SANSOM EQUIPMENT CO INC</u>

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory
Nays: None

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

APPROVE PURCHASE ORDER TO SANSOM EQUIPMENT CO., FOR 2 SIDE-LOAD GARBAGE TRUCKS; \$704,312.00. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-573-2023

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, 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>8877</u>	2023	(F7000) MOTOR POOL	2 NEW WAY AUTOMATED SIDE-LOAD GARBAGE TRUCKS WITH AUTOCAR CHASSIS (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$704,312.00	<u>(390715) SANSOM EQUIPMENT CO INC</u>

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

Ayes: Penn, Carroll, Reynolds, Daves, 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 TOTER, LLC FOR GARBAGE CART LIDS AND WHEELS; \$80,490.38. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-574-2023

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>8817</u>	2023	(2090B) GARBAGE COLLECTION	3000 GARBAGE CART LIDS, 2000 CART WHEELS FOR GARBAGE COLLECTION (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$80,490.38	<u>(205975) TOTER LLC</u>

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

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

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Nays: None

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

AUTHORIZE CONTRACT WITH PAYTON HICKMAN TO PROVIDE TENNIS LESSONS AND CLINICS FOR PARK & RECREATION DEPARTMENT; NTE \$80,000.00 PER YEAR. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-575-2023

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 Payton Hickman to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$80,000 per year 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.

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

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

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

AUTHORIZE CONTRACT WITH MATTHEW BROOKS TO PROVIDE TENNIS LESSONS AND CLINICS FOR PARKS & RECREATION DEPARTMENT; NTE \$80,000.00 PER YEAR. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-576-2023

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 Matthew Brooks to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$80,000 per year 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.

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

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Ayes: Penn, Carroll, Reynolds, Daves, and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH WHITSETT HERRING TO PROVIDE TENNIS LESSONS AND CLINICS FOR PARKS & RECREATION DEPARTMENT; NTE \$80,000.00 PER YEAR. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-577-2023

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 Whitsett Herring to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$80,000 per year 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.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory
Nays: None

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

AUTHORIZE CONTRACT AMENDMENT WITH LIFE EXTENSION CLINICS, INC. D/B/A LIFE SCAN WELLNESS CENTERS, FOR FIRST RESPONDER MEDICAL SCREENING SERVICES; NTE \$150,000.00. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-578-2023

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, an amendment to a contract, by and between the City of Mobile and Life Extension Clinics, Inc., doing business as Life Scan Wellness Centers, in the amount not to exceed \$150,000, to extend the contract for one year, and amend pricing, for medical screening exam services, as outlined in the contract amendment attached hereto and made a part hereof as though set forth in full. A copy of said contract amendment is on file in the Office of the City.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

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Nays: None

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

AUTHORIZE CONTRACT WITH MELT, LLC. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-579-2023

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, the Professional Services Contract between the City of Mobile and MELT, LLC, attached hereto or one substantially similar, and made a part hereof, as though set forth in full, and to take such further action necessary to effectuate the Contract. A copy of said Professional Services Contract is on file in the office of the City Clerk.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

AUTHORIZE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MOBILE AND THE CITY OF SEMMES. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-580-2023

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 to execute and attest, respectively, for and on behalf of the City of Mobile, the Memorandum of Understanding between the City of Mobile and the City of Semmes, and to perform all acts necessary in connection with the Memorandum of Understanding, as outlined in the Memorandum of Understanding attached hereto and made a part hereof as though set forth in full. A copy of said Memorandum of Understanding is on file in the office of the City Clerk.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OF AFRICATOWN FREEDOM TOURS, LLC TO OPERATE A BUS SERVICE. The following resolution which was introduced and read at the regular meeting

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of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 37-581-2023

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Africatown Freedom Tours, LLC for a Certificate of Public Convenience and Necessity to operate a bus service is hereby approved. A copy of said application is on file in the office of the City Clerk.

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

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

Nays: None

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; HILL. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 60-582-2023

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 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 Brittany Hill, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIM; MYERS. The following resolution which was introduced and read at the regular meeting of May 16, 2023, and held over until the regular meeting of May 23, 2023, was called up by the Presiding Officer.

RESOLUTION: 60-583-2023

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 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 Quincey Myers, 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.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

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

ORDINANCED BEING INTRODUCED

REZONE PROPERTY AT THE NORTH SIDE OF GOVERNMENT STREET, 140'+/- EAST OF SOUTH ANN STREET FROM B-1, AND B-2 TO B-2. The following ordinance was held over until the regular meeting of May 30, 2023.

ORDINANCE: 64-024-2023

Sponsored by: Councilmember Carroll

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:

COMMENCING AT THE NORTHEAST CORNER OF ANN STREET AND GOVERNMENT STREET; THENCE NORTH 70° - 53' - 43" EAST ALONG THE NORTH LINE OF GOVERNMENT STREET 140.28 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUE NORTH 70° - 53' - 43" EAST 171.90 FEET TO A POINT THAT IS 130.05 FEET WEST OF THE NORTHWEST CORNER OF GOVERNMENT STREET AND GEORGIA AVENUE; THENCE NORTH 06° - 03' - 32" EAST 205.77 FEET; THENCE NORTH 84° - 14' - 58" WEST 56.94 FEET; THENCE SOUTH 06° - 29' - 00" WEST 77.22 FEET TO THE NORTHEAST CORNER OF LOT 1, GRIFFITH SUBDIVISION AS RECORDED IN MAP BOOK 40, PAGE 107, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE NORTH 83° - 25' - 46" WEST 48.20 FEET TO A CORNER OF LOT 1 WHICH IS ON THE SOUTH LINE OF A 10 FOOT ALLEY; THENCE SOUTH 63° - 30' - 14" WEST ALONG THE SOUTH LINE OF SAID ALLEY AND ALONG THE NORTH LINE SAID LOT 1 A DISTANCE OF 48.87 FEET TO THE NORTHWEST CORNER OF LOT 1; THENCE CONTINUE SOUTH 08° - 53' - 35" WEST 175.67 FEET TO THE POINT OF BEGINNING.

The classification of said property is hereby changed from B-1, Buffer Business District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business 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 B-2, Neighborhood Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said 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 B-2, Neighborhood Business District until all of the conditions set forth below have been complied with 1) completion of the Subdivision process; 2) full compliance with all municipal codes and ordinances; and 3) compliance with the Voluntary Conditions & Use Restrictions submitted by the applicant.

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

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REZONE PROPERTY LOCATED AT 908 KENDERICK DRIVE FROM R-1 TO B-3. The following ordinance was held over until the regular meeting of May 30, 2023.

ORDINANCE: 64-025-2023

Sponsored by: Councilmember Gregory

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

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

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

LOT 11 OF THE FRY TRACT, ACCORDING TO PLAT RECORDED IN DEED BOOK 156, PAGE 268, OF THE RECORDS, LYING NORTH OF THE ILLINOIS CENTRAL GULF RAILROAD, EXCEPT THAT PART IN KENDRICK DRIVE AND EXCEPT LOT 1 OF MORRIS SUBDIVISION RECORDED IN MAP BOOK 36, PAGE 60, IN THE OFFICE OF THE JUDGE OF PROBATE OF MOBILE COUNTY, ALABAMA.

The classification of said property is hereby changed from R-1, Single-Family Residential District to B-3, Community Business District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in B-3, Community Business 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 structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022.

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

AUTHORIZE THE SALE OF CITY-OWNED PROPERTY LOCATED AT 63 S. ROYAL STREET NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES. The following ordinance was held over until the regular meeting of May 30, 2023.

ORDINANCE: 88-026-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the real property hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold to 63 S. Royal Street, LLC.

SEE ATTACHED EXHIBIT 'A'

SECTION TWO: The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name of and on behalf of the City of Mobile, the Purchase and Sales Agreement for the property shown above.

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SECTION THREE: Said Agreement is by reference made a part of this Ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk of the City of Mobile, 9th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

SECTION FOUR: The Mayor and City Clerk are also hereby authorized and directed to execute and attest, respectively, for and in the name and on behalf of the City of Mobile, the deed for the property shown above, when said deed is prepared.

SECTION FIVE: The Deputy Director, Real Estate Asset Management, of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

SECTION SIX: The proceeds from this sale to be placed in a Public Facilities Improvement Fund.

SECTION SEVEN: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

EXHIBIT 'A'

Land Address: 63 S. Royal St., Mobile, AL 36602

Parcel No. R022906400D02291.002, Key No. 02567528

LEGAL DESCRIPTION:

LOT 2, RIVERVIEW PLAZA, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 61, PAGE 70 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

AUTHORIZE THE SALE OF CITY-OWNED PROPERTY LOCATED AT 720 MUSEUM DRIVE NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES. The following ordinance was held over until the regular meeting of May 30, 2023.

ORDINANCE: 88-027-2023

Sponsored by: Mayor Stimpson and Councilmember Gregory

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the real property hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold to Burton Property Group, LLC.

SEE ATTACHED EXHIBIT 'A'

SECTION TWO: The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name of and on behalf of the City of Mobile, the Purchase and Sale Agreement for the property shown above.

SECTION THREE: Said Agreement is by reference made a part of this Ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk of the City of Mobile, 9th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

SECTION FOUR: The Mayor and City Clerk are also hereby authorized and directed to execute and attest, respectively, for and in the name and on behalf of the City of Mobile, the deed for the property shown above, when said deed is prepared.

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SECTION FIVE: The Deputy Director of the Real Estate Asset Management of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

SECTION SIX: The proceeds from this sale to be placed in a Public Facility Improvement Fund.

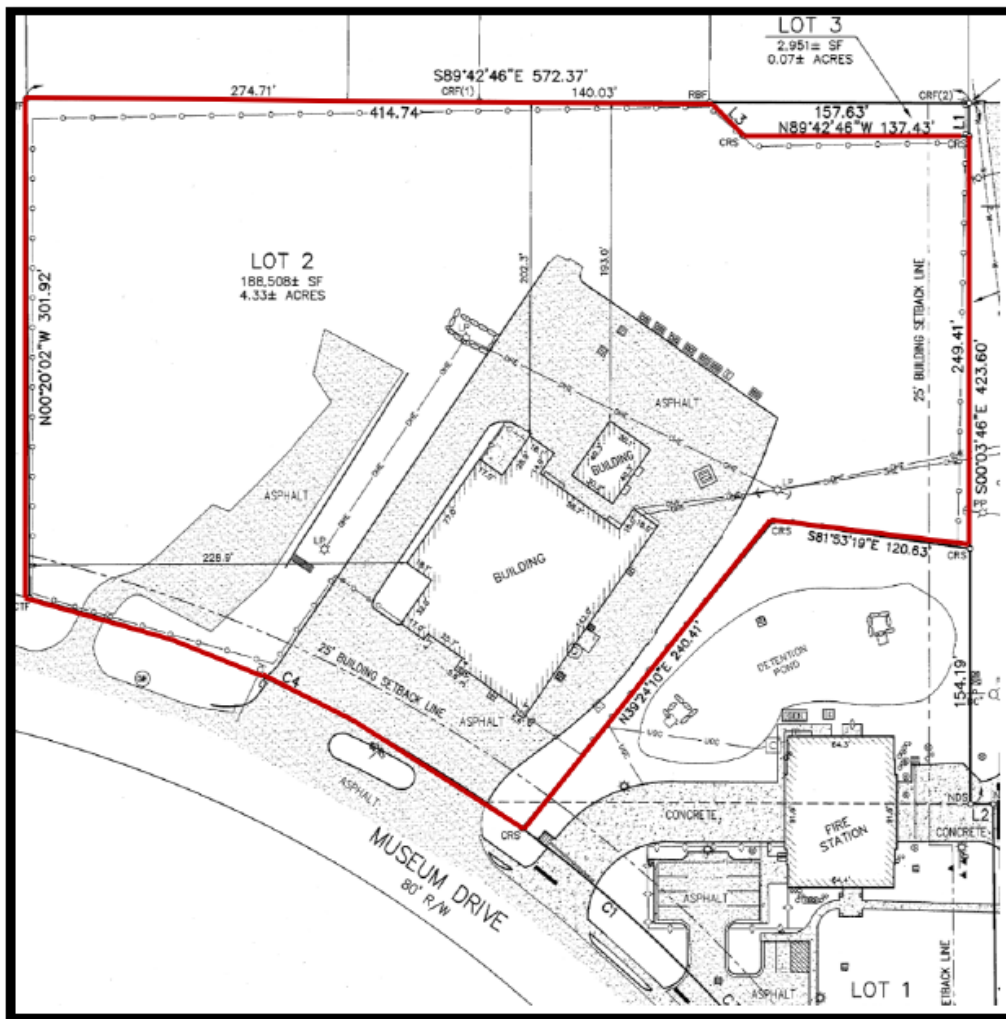
SECTION SEVEN: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Exhibit A
720 Museum Drive, Mobile, AL 36608

KEY NO. - 02397873

PARCEL NO - 22806141002009.001

LEGAL DESCRIPTION: LOT 2 FORT HARDEMAN SUBDIVISION IN INSTRUMENT NUMBER 2021037217 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.



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

Councilmember Daves moved for the suspension of the rules to consider Consent Resolutions 03-585 through 60-596 being introduced for the first time. The motion was seconded by Councilmember Reynolds, and the vote was as follows:

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory
Nays: None

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The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

APPOINT LORENZO GREEN TO THE CITIZENS' PARKS AND RECREATION ADVISORY COMMITTEE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-585-2023

Sponsored by: Councilmember Carroll

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Lorenzo Green is appointed to the Citizens Parks and Recreation Advisory Committee effective immediately, for a term ending May 9, 2025.

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

Ayes: Penn, Carroll, Reynolds, Daves, 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 1324 JESSIE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-586-2023

Sponsored by: Councilmember Penn

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 1324 Jessie 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, 8,12, 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 **1324 Jessie Street described as:**

LOT 16 BLK 4 LA FARGUE PL 2ND S/D DBK 121/511 #SEC 44 T4S R1W #MP29 02 44 0 013

Parcel Number: 29 02 44 0 013 143

Last Assessed to: HEIR OF IDA BELL DOUGLAS, C/O EDNA
DAVIS DOUGLAS

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

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

Ayes: Penn, Carroll, Reynolds, Daves, 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 1163 GHENT STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-587-2023

Sponsored by: Councilmember Carroll

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 1163 Ghent 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, 8,12, 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 **1163 Ghent Street described as:**

BEG ON E/S OF GHENT ST 306 FT S OF S/L OF DOMINICK ST TH RUN E & PAR TO DOMINICK ST 75 FT TO A PT TH RUN S & PAR TO GHENT ST 46 FT TO A PT TH RUN W & PAR TO DOMINICK ST 76 FT TO A PT ON E/S OF GHENT ST TH N ALG E/S OF GHENT ST 46 FT TO POB BEING PT OF LOTS 11 & 12 IN BLK 13 OF TOULMIN TRT #SEC 28 T4S R1W #MP29 10 28 4 003

Parcel Number: 29 10 28 4 003 008

Last Assessed to: **DARLENE HOBDY, BERTRAND DENNIS, AND ANTHONY DENNIS**

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

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

Ayes: Penn, Carroll, Reynolds, Daves, 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 406 MICHIGAN AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-588-2023

Sponsored by: Councilmember Carroll

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 406 Michigan 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, 7, 8, 12,14 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 **406 Michigan Avenue described as:**

LOT 4 BLK 17 OF GLENDALE PARK PER DBK 61 N S PGS 316 THRU 317 #SEC 27 T4S R1W #MP29 10 27 2 001

Parcel Number: 29 10 27 2 001 020

Last Assessed to: YU CHEN

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 Carroll moved to table the resolution, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

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Nays: None

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

DECLARE THE STRUCTURE AT 1251 STATE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-589-2023

Sponsored by: Councilmember Carroll

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 1251 State 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, B, 12,14 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 **1251 State Street described as:**

COMG AT A PT ON TH S/S OF STATE ST 161 FT ELY FR TH SE COR OF STATE & ANN ST RUNG TH SLY & PAR WITH ANN ST OR NEARLY SO 68.83 FT TO A PT TH ELY & PAR WITH STATE ST OR NEARLY SO 52.42 FT TO A PT TH NLY & PAR WITH ANN ST OR NEARLY SO 63.5 FT TO A PT ON THE S/S OF STATE ST TH WLY ALG TH S/S OF STATE ST 52.33 FT TO THE POB BEING PT LOT 11 BLK 7 CAMP GROUND TRT MBK 1 P 12 #SEC 40 T4S R1W #MP29 06 40 0 007

Parcel Number: 29 07 42 0 001 448

Last Assessed to: HOMES R US, LLC

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

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

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

Ayes: Penn, Carroll, Reynolds, Daves, 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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DECLARE THE STRUCTURE AT 1353 WINDSOR AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-590-2023

Sponsored by: Councilmember Small

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 1353 Windsor 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, 7, 8,12,14 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 **1353 Windsor Avenue described as:**

LOT 10 BLK 4 BROOKLEY HGTS 1ST SECTOR MBK 3/677 #SEC 37 TSS R1W #MP32 02 37 0 001

Parcel Number: 32 02 17 0 001 115

Last Assessed to: JAZZMINE ROSHENE SALTER

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

Ayes: Penn, Carroll, Reynolds, Daves, 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 7630 AVENUE C A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-591-2023

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,

MINUTES OF MAY 23, 2023

the accessory structure at 7630 Avenue C 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 N 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, 8,12,14 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 **7630 Avenue C described as:**

LOT 12, 13, 14, 15, 16, & 17 BLK 17 WEST IVIOBILE TERRACE DBK 156/570 #SEC 18 T4S R2W #MP28 04 18 3 001

Parcel Number: 28 04 18 3 001 040

Last Assessed to: LUCAS VALLEROY

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

Ayes: Penn, Carroll, Reynolds, Daves, 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 2781 GRAHAM ROAD A PUBLIC NUISANCE AND ORDER THE MAIN STRUCTURE SECURED AND DEMOLISH THE ACCESSORY STRUCTURES. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-592-2023

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 accessory structure at 2781 Graham Road 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, B, 12, 14 and 15; and**

MINUTES OF MAY 23, 2023

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 **2781 Graham Road described as:**

LOT 2 ANNETTE'S ACRES SUBD MBK 66 PG 125 #SEC 32 T3S R2W #MP23 09 32 2 000

Parcel Number: 23 09 32 2 000 001.001

Last Assessed to: SHERRIE A COLE

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/secured** 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 to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory
Nays: None

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

ASSESS COSTS FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP 60. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-593-2023

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

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

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

Section 1. The amount set opposite each described parcel of real property contained in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as Repeat Weed Lien Group 60 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

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

Ayes: Penn, Carroll, Reynolds, Daves, 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; NELSON. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-594-2023

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(s):

Fire Service Driver Jennifer A. Nelson (Emp #15371)

This employee is to be commended for her 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 to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Penn, Carroll, Reynolds, Daves, 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; UPTAGRAFFT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-595-2023

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:

APRIL 2023: Officer Christopher Uptagrafft

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

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO COUNTRY CLUB ESTATES NEIGHBORHOOD ASSOCIATION, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-596-2023

Sponsored by: Councilmember Daves

WHEREAS, Councilmember Daves wishes to appropriate **\$1,000.00** to Country Club Estates Neighborhood Association, Inc., from her discretionary funds; and

WHEREAS, Country Club Estates Neighborhood Association, Inc., is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Country Club Estates Neighborhood Association, Inc., will be used to assist with renovations and clean up at the triangle in the City right of way at the corner of Wimbledon Road and Country Club Road, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$1,000.00** to Country Club Estates Neighborhood Association, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Reynolds, Daves, 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 KIMLEY-HORN AND ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR TRAFFIC SIGNAL UPGRADES ALONG UNIVERSITY BOULEVARD AND OLD SHELL ROAD. The following resolution was held over until the regular meeting of May 30, 2023.

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RESOLUTION: 21-597-2023

Sponsored by: Mayor Stimpson and Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized 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 the engineering services associated with the Traffic Signal Upgrades along University Boulevard from Campus Quarters to Gailliard Drive and along Old Shell Road from Cody Road to University Boulevard STPMB-4920(250), 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: Kimley-Horn and Associates, Inc.

Project Name: Traffic Signal Upgrades along University Blvd & Old Shell Rd

Project No.: 2022-2060-07

Amount: \$58,060.00

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH ALABAMA DEPARTMENT OF TRANSPORTATION FOR 2023 CITY WIDE SIDEWALK REPAIR AND MAINTENANCE (MOFFAT ROAD – US98). The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 01-598-2023

Sponsored by: Mayor Stimpson

WHEREAS, the City intends to upgrade and construct approximately 1,140 ft of sidewalks and ramps on Moffett Road to become ADA compliant,

WHEREAS, the City intends to upgrade approximately 570 ft of sidewalks on Government Street to become ADA compliant,

WHEREAS, Moffett Road and Government Street, are both Alabama Department of Transportation (ALDOT) maintained roads,

WHEREAS, work within the ALDOT right-of-way requires permitting from ALDOT,

WHEREAS, ALDOT requires the City to accept the maintenance of these upgrades.

NOW THEREFORE, 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 Grading/Landscaping Permit and a Cooperative Maintenance Agreement, by and between the City of Mobile and the Alabama Department of Transportation.

APPROVE PURCHASE ORDERS FOR FUEL FOR VARIOUS CITY DEPARTMENTS. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 08-599-2023

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, purchase orders to the indicated vendors in the approximate amount stated, and to approve the supporting bid award if required, for the following requisitions as indicated below and attached herein:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>9748</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$18,246.64	(279229) PETROLEUM TRADERS CORPORATION
<u>9749</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$18,246.64	(279229) PETROLEUM TRADERS CORPORATION
<u>9750</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$18,246.64	(279229) PETROLEUM TRADERS CORPORATION
<u>9751</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$17,700.00	(279229) PETROLEUM TRADERS CORPORATION
<u>9752</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$17,700.00	(279229) PETROLEUM TRADERS CORPORATION
<u>9759</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$17,700.00	(279229) PETROLEUM TRADERS CORPORATION

<u>9767</u>	2023	(2050) FLEET MANAGEMENT GARAGE	4 TH PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$18,246.64	(279229) PETROLEUM TRADERS CORPORATION
<u>9768</u>	2023	(2050) FLEET MANAGEMENT GARAGE	4 TH PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$18,246.64	(279229) PETROLEUM TRADERS CORPORATION
<u>9769</u>	2023	(2050) FLEET MANAGEMENT GARAGE	4 TH PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$18,246.64	(279229) PETROLEUM TRADERS CORPORATION

APPROVE PURCHASE ORDER TO AUTONATION FORD MOBILE FOR F250 TRUCK FOR PUBLIC SERVICES: \$59,578.50. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 08-600-2023

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>8973</u>	2023	(F7000) MOTOR POOL	F250 CHASSIS SERVICE TRUCK FOR PUBLIC SERVICES (SEALED BID 5750)	\$59,578.50	<u>(270013)</u> <u>AUTONATION</u> <u>FORD MOBILE</u>

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APPROVE PURCHASE ORDER TO SANSOM EQUIPMENT COMPANY INC. FOR 3 STREET SWEEPERS; \$828,882.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 08-601-2023

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>8364</u>	2023	(F7000) MOTOR POOL	3 ELGIN PELICAN STREET SWEEPERS FOR PUBLIC SERVICES (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$828,882.00	<u>(390715) SANSOM EQUIPMENT CO INC</u>

APPROVE PURCHASE ORDER TO STIVERS FORD LINCOLN, INC.; \$82,432.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 08-602-2023

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>9828</u>	2023	(1510) FIRE ADMINISTRATION	2 FORD F150 SUPERCREW PICKUP TRUCKS FOR MFRD (AL STATE CONTRACT)	\$82,432.00	<u>(292393) STIVERS FORD LINCOLN INC</u>

APPROVE PURCHASE ORDER TO SCHAEFER PLASTICS NORTH AMERICA, LLC FOR PLASTIC GARBAGE CARTS WITH ASSEMBLY AND DISTRIBUTION; \$514,810.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 08-603-2023

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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Requisitions	Fiscal Year	Department	Description	Amount	Vendor
<u>9831, 9839</u>	2023	(2090B) GARBAGE COLLECTION	8500 95GAL PLASTIC GARBAGE CARTS WITH ASSEMBLY AND DISTRIBUTION (HGAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$514,810.00	(297915) <u>SCHAEFER</u> <u>PLASTICS</u> <u>NORTH</u> <u>AMERICA LC</u>

TRANSFER FUNDS FROM GENERAL FUND UNASSIGNED BALANCE TO EVENTS;
\$110,000.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 09-604-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$110,000.00 in the General Fund Unassigned Fund Balance (Fund 1000) be allocated to Events; 1000.1004.44020. The funds will be used to purchase holiday decorations.

AUTHORIZE CONTRACT WITH TTL, INC. TO PERFORM PROFESSIONAL SERVICES FOR THE MYLAND AVENUE ENVIRONMENTAL STUDY, \$71,086.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 21-605-2023

Sponsored by: Mayor Stimpson and Councilmember Gregory

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: TTL, INC.

Project Name: MYLAND AVENUE ENVIRONMENTAL STUDY

/COM Project# 2023-3005-14

Estimated Cost: \$71,086.00

AUTHORIZE CONTRACT WITH TINDLE CONSTRUCTION, LLC FOR OPERABLE WALL COVERING REPLACEMENT AT ARTHUR R. OUTLAW CONVENTION CENTER; \$108,500.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 21-606-2023

Sponsored by: Mayor Stimpson and Councilmembers Carroll

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor

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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: TINDLE CONSTRUCTION LLC

Project Name: ARTHUR R. OUTLAW CONVENTION CENTER -
OPERABLE WALL WALLCOVERING REPLACEMENT

Project Number: CN-022-23 REBID

Amount: \$108,500.00

AUTHORIZE CONTRACT WITH KNIGHT SIGN INDUSTRIES, INC. FOR MARQUEE INFORMATION BOARD REPLACEMENTS AT ARTHUR R. OUTLAW CONVENTION CENTER; \$208,704.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 21-607-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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: KNIGHT SIGN INDUSTRIES, INC.

Project Name: ARTHUR R. OUTLAW CONVENTION CENTER -
MARQUEE INFORMATION BOARD REPLACEMENT

Project Number: CN-044-21

Amount: \$208,704.00

AUTHORIZE CONTRACT WITH BLUE SALVAGE & DIVING LLC FOR THE RESTORATION OF THE HISTORIC STREAM CHANNEL OF THREE MILE CREEK; \$1,190,045.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 21-608-2023

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, 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. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of Company: Blue Diving & Salvage, LLC

Project Name: Mobile Bay Shore Habitat Acquisition and Restoration – Phase II NFWF Task 7 - Implementation Activities Three Mile Creek Dredging

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Project No. 2020-2045-06

Cost: \$1,190,045.00

AUTHORIZE CONTRACT WITH CHRISTIAN PREUS LANDSCAPE ARCHITECTURE, PLLC FOR COMFORT STATION PROTOTYPE DESIGN; \$24,500.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 21-609-2023

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, 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. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of Company: Christian Preus Landscape Architecture, PLLC

Project Name: Professional Services for Comfort Station Prototype Design

Project No. 2023-2045-04

Cost: \$24,500.00

AUTHORIZE CHANGE ORDER #1 WITH VOLKERT, INC. FOR DESIGN AND ENGINEERING OF BROOKLEY BY THE BAY; \$1,600,000.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 21-610-2023

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, a Change Order, by and between the City of Mobile and Volkert, Inc. as outlined in the Change Order Number One (1), attached hereto and made a part hereof as though set forth in full, to increase their contract dated June 28, 2022 in total contract sum from \$1,000,000.00 to \$2,600,000.00 and extend the contract end date to May 31, 2025. A copy of said Change Order and Justification is on file in the office of the City Clerk.

Name of Company: Volkert, Inc.

Project Name: Brookley by the Bay

Project Number: 2022-2045-03

Amount: \$1,600,000.00

AUTHORIZE CONTRACT WITH MOFFATT AND NICHOL, INC. FOR CE&I OF THREE MILE CREEK DREDGING PROJECT WITH NFWF GRANT CLOSEOUT; \$47,811.00. The following resolution was held over until the regular meeting of May 30, 2023.

RESOLUTION: 21-611-2023

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

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and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Moffatt and Nichol, Inc., 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, A copy of said executed agreement will be on file in the office of the City Clerk.

Name of Company: Moffatt and Nichol, Inc.

Project Name: NFWF Phase II Mobile Bayshore Habitat Conservation and Acquisition Initiative Three Mile Creek Dredging CE&I and Grant Closeout

Project Number: G-NFWFII

Amount: \$47,811.00

ANNOUNCEMENTS

Councilmember Carroll stated that he attended the basketball tournament this past weekend and it was a great success.

Councilmember Carroll announced that the Franklin Memorial House opened on Ann Street on Saturday, May 20, 2023.

Councilmember Carroll encouraged citizens to participate in the Underground Railroad Bike Tour.

Councilmember Daves commended Lawrence Battiste for his service to the City of Mobile.

Councilmember Daves gave comments regarding the fireworks ordinance the Council passed on today.

Councilmember Penn thanked all the speakers that came to speak at the Council meeting today and stressed the importance of them coming to express their concerns.

Councilmember Reynolds congratulated Lawrence Battiste on his future endeavors.

Councilmember Reynolds said that the Mobile Law Enforcement Foundation event on last Friday night was a great success.

Councilmember Reynolds thanked the University of South Alabama and the Department of Conservation and Natural Resources for their research of the fish population in the Gulf of Mexico.

Councilmember Daves reminded citizens that the Mobile County Public Health Department and the public health officer are responsible for public health under Alabama law.

Councilmember Gregory thanked the Moffett Road Baptist Church for hosting a District 7 community meeting last week.

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

Ayes: Penn, Carroll, Reynolds, Daves, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:45 a.m.

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Adopted:

COUNCIL VICE PRESIDENT

CITY CLERK