

MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 22, 2019

The Council of the City of Mobile, Alabama, met in the City Council’s Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, October 22, 2019, at 9:00 a.m.

Present:

Chairman: Manzie
Councilmembers: Richardson, Small, Daves, Rich and Gregory
Absent: Williams

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: October 30, 2019

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 22, 2019

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, October 22, 2019, at 10:30 a.m., in regular meeting.

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

Reverend Irving Boykin, Mt. Gerizim Missionary Baptist Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

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

APPROVAL OF MINUTES:

The minutes of the meetings of October 15 and 17, 2019 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson offered condolences for the recent passing of John Golson, the son of Mobile Film Office Director Eva Golson.

Mayor Stimpson provided an overview of his recent trip to Havana, Cuba, Mobile’s sister city.

Mayor Stimpson thanked the Council for passing the fiscal year 2020 budget and congratulated Councilmembers Manzie and Small for being elected president and vice president, respectively, of the Council.

Mayor Stimpson presented the Public Works employees and Officer of the month.

PRESENTATIONS BY THE COUNCIL:

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Councilmembers Williams and Daves presented a proclamation declaring Tuesday, October 22, 2019, as “American Legion Post 3 Day” in Mobile.

Councilmember Small recognized B. C. Rain High School student members of the Future Business Leaders of America.

ADOPTION OF THE AGENDA:

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

APPEALS:

The Council considered the request of Frederic Robinson for a waiver of the Noise Ordinance in Public Safety Memorial Park on November 30, 2019 from 2:00 p.m. until 5:00 p.m. (District 5).

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

The Council considered the request of Dr. George Inge for a waiver of the Noise Ordinance at 1555 Dauphin Street on November 2, 2019 from 6:30 p.m. until 10:00 p.m. (District 2).

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

The Council considered the request of Susan Healy for a waiver of the Noise Ordinance at 11 Palmetto Street on October 26, 2019 from 8:00 p.m. until 10:00 p.m. (District 2).

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1520 WELLINGTON STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

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The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1520 Wellington Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 2803 COLLEGE 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 2803 College Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1819 STRANGE 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 1819 Strange Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1220 DR. MARTIN LUTHER KING, JR. 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 1220 Dr. Martin Luther King Jr., Avenue a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 558 PATTON 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 558 Patton Avenue a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

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1. Sylvia Reed, 1783 Princeton Woods Drive, West, provided remarks regarding Resolution 21-969.
2. Reggie Hill, 1007 Center Street, addressed the Council regarding Resolution 31-955.

NON-AGENDA ITEMS:

None.

RESOLUTIONS HELD OVER:

APPROVE PURCHASE ORDER TO MUSCO LIGHTING, LLC, FOR LIGHTING FOR MEDAL OF HONOR PARK \$200,000.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 15, 2019 and held over for one (1) week until the regular meeting of October 22, 2019, was called up by the Presiding Officer.

RESOLUTION: 08-942-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, purchase orders to the indicated vendors in the approximate amounts stated, and to approve the supporting bid awards, for the following requisitions as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
32	2020	(3032) ARCHITECTURAL ENGINEERING	ATHLETIC FIELD LIGHTING SYSTEM FOR - MOH PARK-PR-066-19 (8 LUMINARIES & POLES WITH 50 FTCANDLE LED LIGHTING AND CONTROLS (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT)	\$200,000.00	(278697) MUSCO SPORTS LIGHTING LLC

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

APPROVE PURCHASE ORDER TO TRUCK EQUIPMENT SALES, INC., \$31,921.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 15, 2019 and held over for one (1) week until the regular meeting of October 22, 2019, was called up by the Presiding Officer.

RESOLUTION: 08-943-2019

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, purchase orders to the indicated vendors in the approximate amounts stated, and to approve the supporting bid awards, for the following requisitions as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
11	2020	(1530) POLICE ADMIN SERVICES	SWAB ARF 95 ANIMAL TRANSPORT BODY MOUNTED ON CITY F- 250 CHASSIS (SEALED BID 5274)	\$31,921.00	(208560) TRUCK EQUIPMENT SALES INC

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

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

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

APPROVE PURCHASE ORDER TO GULF STATES DISTRIBUTORS FOR WEAPONS FOR POLICE DEPARTMENT, \$11,600.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 15, 2019 and held over for one (1) week until the regular meeting of October 22, 2019, was called up by the Presiding Officer.

RESOLUTION: 08-944-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, purchase orders to the indicated vendors in the approximate amounts stated, and to approve the supporting bid awards, for the following requisitions as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
201	2020	(1530) POLICE ADMIN SERVICES	400 21FT POLICE TASER AIR CATRIDGES (PRICE QUOTE)	\$11,600.00	(78918) GULF STATES DISTRIBUTORS

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

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

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

AUTHORIZE CONTRACT WITH CLARK, GEER, LATHAM AND ASSOCIATES, INC. FOR MASTER SERVICE AGREEMENT FOR ENGINEERING SERVICES TO OPTIONAL RIGHT-OF-WAY PERMIT APPLICATION REVIEWS UNDER CONTRACT #1825.

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\$40,000.00 INCREASE. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 15, 2019 and held over for one (1) week until the regular meeting of October 22, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-945-2019

Sponsored by: Mayor Stimpson

WHEREAS, the City entered into a master service agreement dated August 23, 2017 with Clark, Gear, Latham, and Associates, Inc. for engineering services related to optional right-of-way permit application reviews under Contract No. 1825 (Original Contract No. 1314); and

WHEREAS, the fees totaling \$50,000.00 for the engineering services were originally based on an initial estimate of reviews for a time until said fees had been depleted; and

WHEREAS, the professional engineering fees have been previously adjusted and authorized by the City Council of the City of Mobile by a total increase of \$80,000 to compensate Clark, Geer, Latham, and Associates, Inc. for extension and continuance of engineering services and these fees have since been depleted; and

WHEREAS, the professional engineering fees now need to be adjusted further to compensate Clark, Geer, Latham, and Associates, Inc. for extension and continuance of engineering services, thereby increasing professional engineering fees by \$40,000.00 to a total of \$170,000.00; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby authorize the additional fee of \$40,000.00, for a total of \$170,000.00, to be paid to Clark, Geer, Latham, and Associates, Inc. for engineering services under Contract No. 1825 (Original Contract No. 1314).

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be held over for one (1) week until the regular meeting of October 30, 2019, which was seconded by Councilmember Daves and the vote was as follows:

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

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

AUTHORIZE CONTRACT WITH JOHNSON CONTROLS FIRE PROTECTION, LLC FOR LADD-PEEBLES STADIUM – REPLACE FIRE PANEL, \$17,500.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 15, 2019 and held over for one (1) week until the regular meeting of October 22, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-946-2019

Sponsored by: Councilmember Manzie

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: Johnson Controls Fire Protection, LLC

Project name: Replace Fire Panel at Ladd-Pebbles Stadium

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Project number: PR-070C-19

Amount: \$17,500.00

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS-BAKER. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 15, 2019 and held over for one (1) week until the regular meeting of October 22, 2019, was called up by the Presiding Officer.

RESOLUTION: 60-947-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Settlement Agreement and Release of Claims arising out of the injury of Willie Baker, suffered on December 10, 2016, requiring the City to pay \$25,000.00, in return for a release of all of the Plaintiffs respective claims, as outlined in the Settlement Agreement and Release of Claims attached hereto and made a part hereof as though set forth in full. A copy of said Settlement Agreement and Release of Claims is on file in the office of the City Clerk.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

AUTHORIZE CONTRACT WITH SZESZYCHI HOSPITALITY, LLC, D/B/A CONCORD SHORE SERVICES, FOR CRUISE TERMINAL SHUTTLE SERVICE, \$90,000.00 PER YEAR. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 15, 2019 and held over for one (1) week until the regular meeting of October 22, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-948-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and SZESZYCKI HOSPITALITY LLC, dba CONCORD SHORE SERVICES, in the amount not to exceed \$90,000 per year, for twelve months, and renewable for two additional twelve month periods, for parking shuttle service for the City of Mobile Alabama Cruise Terminal, 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.

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

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

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

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

Councilmember Small moved for the suspension of the rules to consider Consent Resolutions 31-954 – 58-973, being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

AUTHORIZE GRANT APPLICATION TO AFTERMATH SERVICES IN SUPPORT OF THE MPD K-9 UNIT, \$5,000. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-954-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from Aftermath Services, LLC., a Notice of Award for grant assistance in the amount of \$5000.00 for the Aftermath K9 Grant in support of the Mobile Police Department K-9 Unit.

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

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

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

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

AUTHORIZE A GRANT APPLICATION TO THE ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS FOR THE FY 2020 CENSUS GRANT PROGRAM, \$50,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-955-2019

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the Alabama Department of Economic and Community Affairs, a Notice of Award for grant assistance in the approximate amount of \$50,000.00 for the FY 2020 Census Grant Program. An in-kind contribution will be used for the 1:1 match requirement in the form of the value of personnel, including staff and volunteers.

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

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory. Following comments from Councilmember Gregory the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

DECLARE THE STRUCTURE AT 1520 WELLINGTON STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-956-2019

Sponsored by: Councilmember Richardson

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 1520 Wellington 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 11 of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 6, 7, 8, and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1520 Wellington Street as:

LOT 3 OF HAYGOOD HOMES SUB MBK 5 P 77-78 LOC E OF HAYGOOD ST & MORE PARTIC DESC AS FOILS BEG AT PT ON IM/S OF WELLINGTON ST 54.2 FT ELY FROM NE COR OF WELLINGTON & HAYGOOD SIS TH RUN ELY ON N/S OF WELLINGTON ST 50 FT RUN TH NLY 131.7 FT TO S/S OF LOT 5 OF SD SUB RUN TH WLY ALG S/S OF LOT 5 47.6 FT TO PT WHICH IS 52.3 FT ELY FROM HAYGOOD ST MEAS ALG S/L OF SD LOT 5 RUN TH SLY 116.6 FT TO FOB #SEC 44 T4S RIW #MP29 02 44 0 008

Parcel number: 29 02 44 0 008 426

Last assessed to: Murphy, Johnny L, II C/O Murphy, Vivian Ann

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

DECLARE THE STRUCTURE AT 2803 COLLEGE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-957-2019

Sponsored by: Councilmember Richardson

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 2803 College Street been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 2803 College Street described as:

LOT 4 BLK 7 STRAUSS FIRST ADD TO PRICHARD DBK156 N S P 296 #SEC 44 T4S RIW #rVIP29 02 44 0 014

Parcel number: 29 02 44 0 014 042

Last assessed to: RAYE ALICE T.

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.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

DECLARE THE STRUCTURE AT 1819 STRANGE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-958-2019

Sponsored by: Councilmember Richardson

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 1819 Strange Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1819 Strange Street described as:

LOT 12 BLK 2 ST STEPHENS TERRACE DBK 156/516 ALSO S 20 FT OF LOT 11 BLK 2 OF ST STEPHEN TERRACE DBK 156 PG 516-517 A 20 FT BY 130 FT PCL ADJ TO N/BDY OF LOT 12 BLK 2 OF SD S/D OWNED BY GRANTEE HVNG 20 FT FRNTAGE ALG STRANGE AVE & A COMMON 130 FT BDY W/SD LOTH & N BDY OF SD LOT 12 BEING SAME PPTY CONVEYD TO MARY SUE WILLIAMS DECEASED DEED RECD RPBK 4296 PG 1631 #SEC 44 T4S RIW #IVIP29 02 44 0 015

Parcel number: 29 02 44 0 015 464

Last assessed to: WILLIAMS MILTORIA CAROLYN

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

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

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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.

DECLARE THE STRUCTURE AT 1220 DR. MARTIN LUTHER KING, JR. AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-959-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 1220 Dr. Martin Luther King, Jr. 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, 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 1220 Dr. Martin Luther King, Jr Avenue as:

E 34.6 FT OF LOT 2 BLK 5 FISHER TRT DBK 22 PG 332 #SEC 40 T4S RIW #IV1P29 06 40 0 005

Parcel number: 29 06 40 0 005 012

Last assessed to: ROBERTS NAOMI G.

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

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

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

DECLARE THE STRUCTURE AT 558 PATTON AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

MINUTES OF OCTOBER 22, 2019

RESOLUTION: 40-960-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52. Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 558 Patton 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, 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 558 Patton Avenue as:

LOT 65 & 66 BLK 5 DIXIE PAR K SUB MBK 3 P 273 #SEC 25 T4S RIW #MP29 07 25 0 002

Parcel number: 29 07 25 0 002 188

Last assessed to: PERKINS CHARLES & VILETTA

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

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

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

DECLARE WEEDS NOXIOUS, GROUP #1601. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-961-2019

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

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

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

SECTION 1: It has been determined by the City Council of Mobile that the weeds growing on the privately owned lots or parcels of land described in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part thereof as though set forth in full, known as Group #1601 under the caption "NOXIOUS OR DANGEROUS WEEDS GROWING ON PROPERTY," are noxious and dangerous, and such weeds are, hereby declared to be public nuisances. The properties upon which such weeds are growing are all located within the corporate limits of the City of Mobile, about the streets referred to in the description which are more particularly described in said Exhibit "A."

SECTION 2: The weeds growing on or in front of the above described parcels of property shall be abated by the removal of such noxious or dangerous Weeds or they will be removed and the nuisances abated by the City of Mobile, in which case the cost of such removal will be assessed against the respective parcels of lands from which such weeds -are removed, and such cost will constitute a lien upon such respective parcels of land until paid. A public meeting is hereby called to be held, in the Auditorium of the Mobile Government Plaza, 205 Government Street, Mobile, Alabama, on the 26th day of November, 2019, at ten thirty a.m., for the purpose of hearing any objections to the declarations contained in this resolution and to the proposed removal of such weeds, at which time all objections will be heard and given due consideration by the City Council of Mobile; and it is directed that there shall be conspicuously posted in front of each parcel of property, a notice headed "NOTICE TO DESTROY WEEDS," such heading to be in words not less than one inch in height and substantially in the form set out in such Act No. 329, approved April 29, 1988.

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WEED LIEN						
1601						Res. No.
10/22/2019	LOTS TO BE DECLARED					58-
11/26/2019	LOTS FOR PUBLIC HEARING					58-
//2019	LOTS TO BE ASSESSED FOR COST					58-
				Amount	Dis	N/A
No.	Address	SRO No.	CASE #	Assessed		CBO
1	2073 Clinton St	944247	1662		1	
2	2400 Railroad St	944215	1663		2	
3	1070 Cottrell St	942896	1664		3	
4	5631 Will Casher Ln F/k/a Casher Rd	941214	1665		4	
5	5641 Will Casher Ln	941215	1666		4	
6	608 English St	944608	1667		2	
7	1206 Congress St	945183	1668		2	
8	712 Johnston Ave	945447	1669		2	
9	50 Macks St	945447	1670		1	
10	1605 Robinson St	943609	1671		2	
11	1200 Forest Dale Dr	939849	1672		7	
12	5102 Village Cir E	946614	1673		7	
13	2500 Greenlawn Dr	932223	1674		4	
14	2301 Crystal Key	945441	1675		6	
15	2450 Dog River Dr	924759	1676		4	
16	2955 Cotton St	945686	1677		1	
17	147 University Blvd	942276	1678		5	
18	1910 N. Belle Cour Dr	944824	1679		3	
19	5663 Diane Dr	949523	1680		7	
20	1651 Wexford St	946218	1681		2	
21	605 Youngs Aly	946621	1682		2	
22	614 Youngs Aly	948716	1683		2	
District total for this group		Numbers of lots cut				
1	3		1			
2	8		2			
3	2		3			
4	4		4			
5	1		5			
6	1		6			
7	3		7			
	22		0			
*ADD Added in from other Groups		*CBC Cut By Contractor				
*CBO Cut By Owner		*UDL Undeveloped Lot				
*N/A Taken out by Inspector						

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

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

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

AUTHORIZE REMOVAL OF WEEDS, GROUP #1599. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-973-2019

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

WHEREAS, notice has been duly given and posted at least five days prior to the date of this resolution in the manner provided by law offering full opportunity to all interested parties to object to the removal of noxious or dangerous weeds on the hereinafter described parcels of land, and the City Council of Mobile having held such public hearing

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in connection with the notices given and no objections having been filed or made by any of the interested parties; and

WHEREAS, Parcels Nos. 1 through 21 described in the resolution adopted on the 17th day of September, 2019, have not been cleared of noxious and dangerous weeds and continue to be public nuisances.

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

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

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

Parcels of real property located in the City of Mobile and more particularly described as Parcels Nos. 1 through 21, as described in the resolution adopted on the 17th day of September, 2019, and entitled: "A RESOLUTION DECLARING WEEDS GROWING UPON THE STREETS OR SIDEWALKS AND UPON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF MOBILE TO BE NOXIOUS OR DANGEROUS AND TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES."

(Lot Cleaning Liens, Group No. 1599, on file in the office of the City Clerk).

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

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH MICOR INC., D/B/A MDS CONSTRUCTION, INC., FOR TRINITY GARDENS PARK – BLEACHERS AND DUGOUT REPAIRS, \$96,579.00. The following resolution was held over for one (1) week until the regular meeting of Wednesday, October 30, 2019.

RESOLUTION: 21-962-2019

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Sponsored by: Councilmember Richardson and Mayor Stimpson

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

Name of company: Micor Inc., d/b/a MDS Construction, Inc.
Project name: Trinity Gardens Park - Bleachers and Dugout Repairs
Project number: PR-046-19
Amount: \$96,579.00

AUTHORIZE CONTRACT WITH AEIKER CONSTRUCTION CORPORATION FOR STOTTS PARK – SITE AMENITIES & DRAINAGE IMPROVEMENTS, \$337,000.00. The following resolution was held over for one (1) week until the regular meeting of Wednesday, October 30, 2019.

RESOLUTION: 21-963-2019

Sponsored by: Councilmember Williams and Mayor Stimpson

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

Name of company: Aeiker Construction Corporation
Project name: Stotts Park — Site Amenities and Drainage Improvements
Project number: PR-019-18
Amount: \$337,000.00

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE NON-EXCLUSIVE LEASE AGREEMENT WITH THE GULF COAST DUCKS LLC FOR USE OF BOAT RAMP NEAR CONVENTION CENTER, \$500.00 PER MONTH. The following resolution was held over for one (1) week until the regular meeting of Wednesday, October 30, 2019.

RESOLUTION: 01-964-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, lessor, the Lease Agreement by and between the City of Mobile and Gulf Coast Ducks, LLC, Lessee, for the property described and shown in Exhibit "1" to the Lease Agreement. A copy of said Lease Agreement is on file in the office of the City Clerk.

EXHIBIT “1”



CITY OF MOBILE SITE NORTH OF AND ADJACENT TO THE MOBILE
CONVENTION CENTER

10 N WATER STREET

LEGAL DESCRIPTION & PARCEL NUMBER

LEGAL DESCRIPTION

COMM. ATA PT ON THE N/R/W/L OF GOVERNMENT ST & THE W/ L OF VACATED COMMERCE ST. AS
DESC IN INSTRUMENT REC IN RPB 1930 PG 196-209 TH RUN N 11 DEG 04 MIN 21 SEC W (THIS
BEARING & ALL SUBSEQUENT BEARINGS REFER TO ALABAMA STATE PLANE COORDINATE SYSTEM) ALG SD
W/L 659.93 FT TO THE POB OF THE PTY HEREIN DES TH CONT N 11 DEG 04 MIN 21 SEC W 173.02 FT TO
A PT TH N 81 DEG 57 MIN 01 SEC E 338 FT M/L TO A PT ON THE W MARGIN OF MOBILE RIVER TH
SWLY ALG SD W MARGIN 171.0 FT M/L TO A PT THAT BEARS N 81 DEG 37 MIN 30 SEC E FROM THE POB TH
S 81 DEG 37 MIN 30 SEC W 320 FT M/L TO THE POB # SEC 40 T4S R1W #BMP29-06 40 0001 004.

PARCEL NUMBER: R02290640001004.



AUTHORIZE SUBLEASE AGREEMENT WITH GULF COAST DUCKS, LLC FOR SPACE IN 650 ST. ANTHONY STREET. The following resolution was held over for one (1) week until the regular meeting of Wednesday, October 30, 2019.

RESOLUTION: 01-965-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Sublease Agreement by and between Gulf Coast Ducks, LLC, Sublessor, and the City of Mobile, Sublessee, to lease approximately 1,360 square feet located in a portion of the Building located at 650 St. Anthony Street, as outlined in the Sublease Agreement attached hereto and made a part hereof as though set forth in full.

APPROVE PURCHASE ORDER FOR 8 POLICE PACKAGE CHEVROLET TAHOE SUVS, \$264,909.92. The following resolution was held over for one (1) week until the regular meeting of Wednesday, October 30, 2019.

RESOLUTION: 08-966-2019

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, purchase orders to the indicated vendors in the approximate amounts stated, and to approve the supporting bid awards, for the following requisitions as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>449</u>	2020	(F7000) MOTOR POOL	8 2019 POLICE PACKAGE CHEVROLET TAHOE SUVS (SEALED BID 5345)	\$264,909.92	(295747) GMGC, LLC

AUTHORIZE CONTRACT WITH THE UNITED METHODIST INNER CITY MISSION OF MOBILE, INC. FOR MAINTENANCE AND OPERATION OF THE TAYLOR PARK RECREATION CENTER, PLAYGROUND, SWIMMING AND WADING POOLS, \$123,500.00. The following resolution was held over for one (1) week until the regular meeting of Wednesday, October 30, 2019.

RESOLUTION: 21-967-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a facilities operation contract with The United Methodist Inner City Mission of Mobile, Inc., for maintenance and operation of the Taylor Park Recreation Center, Playground, Swimming Pool and Wading Pool in the amount of \$30,875.00 quarterly during the term of this Agreement, for a total annual payment of \$123,500.00 thereafter, 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.

AUTHORIZE CONTRACT WITH BARTER & ASSOCIATES, INC. FOR A RIGGING ANALYSIS OF THE MOBILE CIVIC CENTER; \$14,000.00; CC-010-20 (C0040, 20002000-42200). The following resolution was held over for one (1) week until the regular meeting of Wednesday, October 30, 2019.

RESOLUTION: 21-968-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: BARTER & ASSOCIATES, INC.

Project name: MOBILE CIVIC CENTER
RIGGING ANALYSIS

Project number: CC-010-20

Amount: \$14,000.00

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AUTHORIZE CONTRACT WITH STACEY DALLAS-WOODYARD AS A VICTIM ADVOCATE COORDINATOR RELATED TO THE USDOJ'S SEXUAL ASSAULT KIT INITIATIVE (SAKI) GRANT, \$50,000.00 PER YEAR. The following resolution was held over for one (1) week until the regular meeting of Wednesday, October 30, 2019.

RESOLUTION: 21-969-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a professional services contract, by and between the City of Mobile and Stacey Dallas-Woodyard. A Copy of said contract is on file in the office of the City Clerk.

RESOLUTION TO CHANGE THE NAME OF MOBILE ARC TO ALTAPOINTE HEALTH SYSTEMS, INC. FOR CDBG CONTRACT. The following resolution was held over for one (1) week until the regular meeting of Wednesday, October 30, 2019.

RESOLUTION: 60-970-2019

Sponsored by: Mayor Stimpson

WHEREAS, the City Council of the City of Mobile previously authorized a CDBG agreement with Mobile ARC that provides direct benefits for low to moderate income persons within the City, per resolution 31-156; and

WHEREAS, Mobile ARC and AltaPointe Health Systems, Inc. have merged and ceased use of the name Mobile ARC; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, or his designee, is authorized to enter into an agreement with AltaPointe Health Systems, Inc. for the same amount and program parameters as previously approved for Mobile ARC.

AUTHORIZE A NAME CHANGE TO THE AGREEMENT FOR THE SALE OF CDBG PROPERTY AT 901 LYONS STRET FROM BISHOP STATE COMMUNITY COLLEGE TO THE ALABAMA COMMUNITY COLLEGE SYSTEM. The following resolution was held over for one (1) week until the regular meeting of Wednesday, October 30, 2019.

RESOLUTION: 60-971-2019

Sponsored by: Mayor Stimpson

WHEREAS, the City Council of the City of Mobile previously authorized, per ordinance numbered 88-024, the sale of the City owned property located at 901 Lyons St. to Bishop State Community College for use as a HUD eligible activity; and

WHEREAS, Bishop State Community College is a part of the Alabama Community College System and cannot accept property directly outside of the system; and

WHEREAS, the Code of Alabama 16-60-111.10 has been amended to state that all property conveyed to members of the Alabama Community College System must be owned by the Alabama Community College System; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, or his designee, is authorized to enter into an agreement with the Alabama Community College System for the same property, use restrictions, and purchase amount as previously approved for Bishop State Community College.

CALL FOR PUBLIC HEARINGS:

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CALL FOR PUBLIC HEARING TO REZONE PROPERTY AT 5569 PLANTATION ROAD (SOUTH SIDE OF PLANTATION ROAD, 210' ± EAST OF U. S. HIGHWAY 90 WEST) FROM R-1 TO B-3 (DISTRICT 4). The following resolution was introduced by Councilmember Williams.

RESOLUTION: 41-972-2019

A RESOLUTION DIRECTING THE CITY CLERK TO SCHEDULE A PUBLIC HEARING FOR THE PROPOSED REZONING OF PROPERTY AT 5569 PLANTATION ROAD WITHIN THE CITY OF MOBILE, ALABAMA

FINDINGS.

1. The City of Mobile Planning Commission has recommended approving an application to rezone property located at 5569 Plantation Road (south side of Plantation Road, 210'+ east of U. S. Highway 90 West) from R-1, Single-Family Residential District, to B-3, Community Business District.
2. As required by section 64-9(B)(6) of the Mobile City Code, 1991, the Commission has furnished to Council a copy of its report, recommendation and supporting documents.
3. The Council has considered the information provided and finds it necessary and desirable to schedule the rezoning for a public hearing.

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

1. That the date and time set for the public hearing shall be November 19, 2019 at 10:30 a.m. in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama;
2. That the City Clerk shall publish in full the proposed ordinance for one insertion and an additional insertion of a synopsis of the proposed ordinance one week after the first insertion in a newspaper of general circulation published within the municipality as required by Ala. Code §11-52-77.
3. That at the hearing, all persons who desire shall have an opportunity to be heard in opposition to or in favor of such ordinance.
4. That after the close of the public hearing, the Council may approve the proposed ordinance with or without conditions; deny the proposed ordinance; consider zoning classifications other than those sought by the applicant; and take any other action allowed by law.

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

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

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as November 19, 2019.

ANNOUNCEMENTS:

Councilmember Williams congratulated Ebenezer Baptist Church on the occasion of their 150th anniversary.

Councilmember Gregory stated she attended Pastor Appreciation Day at Smith Memorial A.M.E. Church and the 40th anniversary celebration at Christ United Methodist Church.

Councilmember Gregory invited the public to attend the Making Strides for Breast Cancer walk this weekend to help raise funds and awareness.

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Councilmember Small encouraged local students to utilize the opportunities offered by AirBus.

Councilmember Daves reminded district five residents that a community meeting will be held at 6:00 p.m. tonight at Westminster Presbyterian Church.

Councilmember Richardson assured the public that the fish kill problem at Tricentennial Park is being examined.

Councilmember Richardson announced a district one community meeting will be held on Thursday, October 24, 2019 at Ashland Place United Methodist Church.

Councilmember Rich expressed disappointment that she was unable to vote on the budget because she was out of town the day of the special called meeting.

Councilmember Manzie stated for the record:

“Prior to calling last Thursday’s special called meeting, I consulted with the very same attorney, just referenced by my colleague, on each and every individual item and was given the explicit okay that we could move forward affirmatively. Two hours prior to the called meeting we received an almost three page dissertation as to why we could not move forward. Our Council attorney was on vacation and my colleague was on vacation and the business of the City moved forward. We had an opinion from our City attorney that was adverse to the opinion we received from Ms. Cochran. Notice the root word in all I’m saying is ‘opinion.’ There are probably four million lawyers across this country and if you put a piece of law in front of them, all of them are going to give you their opinion. We don’t have rulings from attorneys, we have opinions and as one of my senior colleagues often says ‘the ruling authority of the City of Mobile is the City Council.’ The City Council was properly called to order, the agenda was properly adopted and the majority of the elected members of this Council did not give their opinion, they gave their ruling as it relates to four very important issues before this Council and before this city.”

Lisa Lambert, City Clerk, announced that next week’s meeting will be held on Wednesday, October 30, 2019. The pre-meeting will start at 11:00 a.m. and the regular meeting will start at 12:30 p.m.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:41 p.m.

Adopted: October 30, 2019

COUNCIL PRESIDENT

CITY CLERK