

MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 9, 2018

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 9, 2018, at 9:00 a.m.

Present:

Chairman: Manzie

Councilmembers: Richardson, Small, Williams, Daves and Rich

Absent: Gregory

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. on Tuesday, October 9, 2018.

The Presiding Officer adjourned the meeting.

Approved: October 16, 2018

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 9, 2018

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, October 9, 2018, at 10:30 a.m., in regular meeting.

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

Dr. Raoul Richardson, Power of Faith Ministries, 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 stated that all cell phones must be turned off and that there will be no hats, hoods, sunglasses or large bags permitted in the meeting room.

1) Any person desiring to address the Council must register upon entering the meeting area. When addressing the Council, the speaker must state his/her name and address.

2) Each speaker is allowed five minutes to address the Council. A bell will sound to indicate the end of 4 minutes. One minute is allowed for summarizing. The second bell indicates the time has expired.

3) To maintain decorum, there will be no undue applause and/or public outcry allowed.

4) When addressing the Council, there is to be no personal address to any individual Councilmember. All statements are to be made to the Chair who will recognize any Councilmember who wishes to respond.

5) Any person desiring to speak to the Council on a non-agenda item must contact the City Clerk's Office no later than 2:00 p.m. on the Thursday prior to the Council Meeting. The subject he/she wishes to address must be identified. Any person attending the

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meeting who has not given proper notice to the Clerk's Office and wishes to speak on a non-agenda item will not be allowed to address the Council.

6) Those persons desiring to speak on agenda items must indicate the resolution, ordinance, appeal, or public hearing item on arrival when signing in for the meeting.

APPROVAL OF MINUTES:

The minutes of the meetings of September 25, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

On behalf of Mayor Stimpson, Paul Wesch gave an overview of the City's position regarding the future of the Oakleigh House Museum.

David Clark introduced Tyler Brunson and Emily Gonzales as two new additions to Visit Mobile.

PRESENTATIONS BY THE COUNCIL:

Councilmember Gregory read a proclamation declaring October 2018 as "Breast Cancer Awareness Month."

The Council presented Gina Gregory with a proclamation declaring Tuesday, October 9, 2018 as "Councilwoman Gina Gregory Day" in honor of her efforts to bring awareness to breast cancer through sharing her personal journey.

ADOPTION OF THE AGENDA:

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

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

Nays: None

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

APPEALS:

The Council considered the request of Doris Bettis, Blood Covenant Evangelistic Church, Inc., for a waiver of the Noise Ordinance at the corner of Summerville Street and Prichard Avenue on November 3, 2018, from 10:00 a.m. until 4:00 p.m. (District 1).

Councilmember Small moved to grant the waiver, which motion was seconded by Councilmember Richardson and Rich 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 waiver granted.

The Council considered the request of D. Wayne Bumpers for a waiver of the Noise Ordinance on South Reed Avenue on October 13, 2018, from 6:00 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

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

The Council considered the request of Apostle Paul Mayle, Anointed Ministries, for a waiver of the Noise Ordinance at 1408 Dr. Martin Luther King, Jr. Avenue on October 11 and 12, 2018, from 6:00 p.m. until 9:00 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 the City Clerk, whereupon the Presiding Officer declared the waiver granted.

The Council considered the request of Elizabeth Stevens, Barton Academy Foundation, for a waiver of the Noise Ordinance at 453 Conti Street on November 9, 2018, from 6:00 p.m. until 9:00 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 the City Clerk, whereupon the Presiding Officer declared the waiver granted.

The Council considered the request of Jessica Bradi-Lee Catlin for a waiver of the Noise Ordinance at 1757 Government Street on November 10, 2018, from 6:00 p.m. until 11:00 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 the City Clerk, whereupon the Presiding Officer declared the waiver granted.

The Council considered the request of Terry Mannion for a waiver of the Noise Ordinance at 11 North Dearborn Street on November 11, 2018, from 5:30 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 the City Clerk, whereupon the Presiding Officer declared the waiver granted.

The Council considered the request of Toni Jones, Delwood Subdivision, for a waiver of the Noise Ordinance at 354 West Delwood Drive on November 3, 2018, from 6:00 p.m. until 10:00 p.m. (District 5).

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

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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 waiver granted.

PUBLIC HEARINGS:

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 3213 MORGAN ROAD IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 3213 Morgan Road is 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 DETERMINE IF THE STRUCTURE AT 1622 WARDWOOD DRIVE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1622 Wardwood Drive is 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:

None.

NON-AGENDA ITEMS:

1. Cossetta Blanks Jackson, 1103 Antwerp Street, and Carolyn Blanks Mays, 1103 Antwerp Street, voiced their concerns regarding the Harmon Recreation Center and various issues in the Maysville community.
2. Dr. Raoul Richardson, 650 Clinic Drive, provided information for events taking place this month to raise awareness for breast cancer.
4. Greg Reynolds, 255 N. Conception Street, spoke on behalf of the Historic Mobile Preservation Society regarding the Oakleigh House Museum.
5. Zoe Gray, 6155 Muir Court, and Trinity Walker, 8688 Chesapeake Court, advocated for the Oakleigh House Museum to remain open to the public.
6. Renee Boltz, 1866 N. Daniels Road, invited the Council to an event hosted by the Revitalize D.I.P. organization.
7. Sanders Mason, 5504 Woodsie Drive North, and Wesley Young, 3058 Jane Street, thanked the Council for allocating pay raises for Public Works employees and expressed their ongoing concerns for the employees. City Attorney Ricardo Woods read a directive from Mayor Stimpson to the Public Works employees. Council Vice President Manzie

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then requested the Council attorney research what authority the Council has to order an investigation into the allegations made by the employees.

ORDINANCES HELD OVER:

REZONE PROPERTY AT 556, 566, 576 AND 600 ZEIGLER CIRCLE EAST AND 7331 ZEIGLER CIRCLE SOUTH (SOUTHEAST CORNER OF ZEIGLER CIRCLE EAST AND SELLERS LANE), FROM B-3 TO I-1 (DISTRICT 7). The following ordinance, which was introduced and read at the regular meeting of Tuesday, September 25, 2018 and held over until the regular meeting of October 9, 2018, was called up by the Presiding Officer.

ORDINANCE: 64-025-2018

Sponsored by: Councilmember Gregory

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

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

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

LOT 1 U.S. MACHINE SUBDIVISION AS RECORDED IN MAP BOOK 118, PAGE 10 AND LOTS 15 AND 16 REVISED ZEIGLER AIRPORT COMMERCIAL PARK, AS RECORDED IN MAP BOOK 31 PAGE 8 AND LOT 16-A, REVISED ZEIGLER AIRPORT COMMERCIAL PARK RESUBDIVISION OF LOTS 16 AND 17 AS RECORDED IN MAP BOOK 49 PAGE 61 IN THE OFFICE OF THE JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA.

The classification of said property is hereby changed from B-3, Community Business District to, I-1, Light Industry District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in a I-1, Light Industry District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a I-1, Light Industry District, until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and 2) full compliance with all municipal codes and ordinances.

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

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. - Series 2018, was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on October 14, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand on this 9th day of October, 2018.

City Clerk

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The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance 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 ordinance adopted.

REZONE PROPERTY AT 5803, 5807, 5811 AND 5812 WALTMAN LANE (SOUTHWEST CORNER OF WALTMAN LANE [PRIVATE ROAD] AND LONG STREET), FROM R-1 TO R-3 (DISTRICT 6). The following ordinance, which was introduced and read at the regular meeting of Tuesday, September 25, 2018 and held over until the regular meeting of October 9, 2018, was called up by the Presiding Officer.

ORDINANCE: 64-026-2018

Sponsored by: Councilmember Rich

AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF MOBILE, ALABAMA TO CONDITIONALLY REZONE CERTAIN PROPERTY LOCATED ON WALTMAN LANE AND LONG STREET FROM R-1 TO R-3

BE IT ORDAINED by the City Council of the City of Mobile, Alabama as follows:

Section One. Findings

(a) On or about August 2, 2018 the City of Mobile Planning Commission approved applications for subdivision and Planned Unit Development for certain property located on Waltman Land and Long Street (more fully described below) and in addition, recommended to the City Council that the zoning be changed from R-1 to R-3 to facilitate development of cottage-style student housing (hereafter referred to as the "Development Plan") which would otherwise be prohibited by the terms of the zoning ordinance.

(b) The Council finds that the Development Plan (PUD-000596-2018) meets the standards set forth in section 64-5 of the City Code; is in the best interest of the city, and that rezoning is proper for that purpose.

Section Two. Zoning Amendment.

(b.) The Ordinance commonly known as the Zoning Ordinance, together with the Zoning Map of the City of Mobile, 1967, are hereby is changed and altered in respect to that certain property in the City of Mobile, State of Alabama, described as follows:

LOT 3, THE RESUBDIVISION OF LOT 1 OF THE UNIVERSITY SQUARE AND LOT 4, WESTERN HILLS EXTENSION AS RECORDED IN MAP BOOK 118 PAGE 42, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA AND ALL THAT PART OF LOTS 7 AND 8, WESTERN HILLS EXTENSION AS RECORDED IN MAP BOOK 3 PAGE 432 PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 7 WESTERN HILLS EXTENSION, THENCE NORTH 89°-36'-30" WEST ALONG THE NORTH LINE OF SAID LOT 7 A DISTANCE OF 307.41 FEET; THENCE SOUTH 88°-06'-08" WEST 101.80 FEET TO THE SOUTHEAST CORNER OF LOT 2, THE UNIVERSITY SQUARE AS RECORDED IN MAP BOOK 103 PAGE 72 OF THE AFORESAID RECORDS; THENCE SOUTH 88°-57'-48" WEST 92.91 FEET; THENCE SOUTH 00°-50'-45" EAST 220.51 FEET TO A CORNER OF LOT 1, CAMPUS CREST SUBDIVISION AS RECORDED IN MAP BOOK 133 PAGE 20 OF THE AFORESAID RECORDS; THENCE NORTH 89°-34'-45" EAST 194.94 FEET; THENCE NORTH 00°-21'-42" EAST 79.95 FEET TO A POINT ON THE SOUTH LINE OF LOT 7, WESTERN HILLS EXTENSION; THENCE NORTH 89°-38'-48" EAST 303.38 FEET TO THE SOUTHEAST CORNER OF

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LOT 7 AND A POINT ON THE WEST LINE OF LONG STREET; THENCE NORTH 139.00 FEET TO THE POINT OF BEGINNING.

(b) The classification of the above-described property is hereby conditionally changed from R-1, Single-Family Residential District, to R-3, Multiple-Family Residential District, for the purpose of constructing up to twenty-seven (27) separate, 2-story dwelling-unit structures containing an aggregate of 82 bedrooms in accordance with the Development Plan and for no other construction, use or purpose.

(c) Pursuant to section 64-5 of the City Code, non-substantive changes to the Development Plan may be approved administratively; however, there shall be no increase in the aggregate number of structures, dwelling units, or bedrooms.

(d) Except as may be provided by ordinance of the City Council adopted hereafter, the classification of the entirety of said property shall automatically revert to R-1 Single Family Residential if actual physical construction has not begun within one year from the date of adoption of this Ordinance, or if construction has not been completed within three years from the date of adoption of this Ordinance.

(e) Reference to this Ordinance shall be clearly identified on the Zoning Map of the City with respect to said property in accordance with the zoning ordinance.

(f) No building or other permits shall be issued until the final subdivision plat has been filed as required by law, and all site-clearing, demolition and other construction activity shall comply with all municipal codes and ordinances.

Section Three.

This ordinance shall be in full force and effect on and after its adoption and publication as require by law.

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. - Series 2018, was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on October 14, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand on this 9th day of October, 2018.

City Clerk

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

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

Nays: None

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

DEEM CERTAIN PROPERTY NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZE THE SALE THEREOF (LOTS 19, 20 AND 21, HIGHLAND TOWNHOUSES, UNIT ONE). The following ordinance, which was introduced and read at the regular meeting of Tuesday, September 25, 2018 and held over until the regular meeting of October 9, 2018, was called up by the Presiding Officer.

ORDINANCE: 88-027-2018

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Sponsored by: Councilmember Rich and Mayor Stimpson

AN ORDINANCE DEEMING CERTAIN PROPERTY NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE THEREOF

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 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:

Lots 19, 20, and 21, Highland Townhouses, Unit One, as recorded in Map Book 23, Page 100, in the records of the office of the Judge of Probate, Mobile County, Alabama.

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

SECTION THREE: 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 FOUR: John Olszewski, Real Estate Officer, 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 FIVE: Said Purchase and Sale Agreement and Deed are 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 and in the office of the Real Estate Department, 4th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

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

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. - Series 2018, was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on October 14, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand on this 9th day of October, 2018.

City Clerk

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance 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 ordinance adopted.

CIP RESOLUTIONS HELD OVER:

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AUTHORIZE CONTRACT WITH POPE TESTING SERVICES, LLC FOR 2018 CIP CITY-WIDE RESURFACING TO PROVIDE GEOTECHINICAL ENGINEERING SERVICES AND TEST MATERIALS TO BE USED IN CONSTRUCTION, \$58,500.00 (PROJECT NO. 2018-3005-13; RSF18; 20002000-48030). The following resolution, which was introduced and read at the regular meeting of Tuesday, September 25, 2018 and held over until the regular meeting of October 9, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-687-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as 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: Pope Testing Services, LLC

Project name: 2018 CIP City Wide Resurfacing, LLC

Project no.: 2018-3005-13

Estimated cost: \$58,500.00

The resolution was read by the City Clerk; whereupon Councilmember Small 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.

RESOLUTIONS HELD OVER:

AUTHORIZE AGREEMENT WITH THE ALABAMA DEPARTMENT OF TRANSPORTATION (ALDOT) FOR DAUPHIN STREET FROM SAGE AVENUE TO WEST OF I-65 AT SPRINGHILL MEMORIAL HOSPITAL AGREEMENT FOR ROW ACQUISITION. The following resolution, which was introduced and read at the regular meeting of Tuesday, September 25, 2018 and held over until the regular meeting of October 9, 2018, was called up by the Presiding Officer.

RESOLUTION: 01-688-2018

Sponsored by: Councilmembers Richardson, Daves and Gregory
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, an agreement, by and between the City of Mobile and the company listed below, for work as outlined in the agreement attached hereto and made a part hereof as set forth in full, subject to the company signing the agreement and furnishing the required bonds and insurance. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of company: ALDOT

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Project name: Dauphin Street from Sage Avenue to West of 1-65 at
Springhill Memorial Hospital Agreement for ROW Acquisition

Estimated cost: N/A

The resolution was read by the City Clerk; whereupon Councilmember Small moved that the resolution be adopted, 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 adopted.

AUTHORIZE CONTRACT WITH AZALEA CITY GRILL, LLC TO PROVIDE FOOD AND BEVERAGE CONCESSION SERVICES FOR THE AZALEA CITY GOLF COURSE, \$800.00 PER MONTH + GROSS REVENUE OVER \$20,000.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, September 25, 2018 and held over until the regular meeting of October 9, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-691-2018

Sponsored by: Councilmember Gregory and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Azalea City Grill, LLC, for three years, to provide food and beverage concession services for the Azalea City Golf Course, as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the Office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember Small moved that the resolution be adopted, 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 adopted.

ACCEPT ONE PERMANENT DRAINAGE EASEMENT AND ONE RIGHT-OF-ENTRY FOR THE FLORIDA STREET AT KOSSOW STREET DRAINAGE PROJECT #2016-202-02. The following resolution, which was introduced and read at the regular meeting of Tuesday, September 25, 2018 and held over until the regular meeting of October 9, 2018, was called up by the Presiding Officer.

RESOLUTION: 25-692-2018

Sponsored by: Councilmember Richardson and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby accepts the following, 1 Permanent Drainage Easement & 1 Right-of-Entry for the Florida Street at Kossow Street Drainage Project# 2016-202-02.

1. Permanent Drainage Easement from Debra Cobb Metcalf.
2. Right-of-Entry Permit from Henry Thomas Cobb.

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

The resolution was read by the City Clerk; whereupon Councilmember Small moved that the resolution be adopted, 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 adopted.

AUTHORIZE THE MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE FY2018 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENT GRANT PROGRAM THROUGH THE SOUTHERN RAIL COMMISSION (SRC), \$300,000.00 (\$150,000.00 LOCAL MATCH). The following resolution, which was introduced and read at the regular meeting of Tuesday, September 25, 2018 and held over until the regular meeting of October 9, 2018, was called up by the Presiding Officer.

RESOLUTION: 31-701-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive an Agreement of Understanding for grant assistance from the FY 2018 Consolidated Rail Infrastructure and Safety Improvement Grant Program through the Southern Rail Commission (SRC) in the approximate amount of \$300,000.00.

BE IT FURTHER RESOLVES 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 Southern Rail Commission.

The resolution was read by the City Clerk; whereupon Councilmember Small moved that the resolution be adopted, 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 adopted.

APPROVE THE APPLICATION OF LOUIS PETER EMOND, KING FUNDRAISING D/B/A KING LIMOS, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A LIMOUSINE SERVICE. The following resolution, which was introduced and read at the regular meeting of Tuesday, September 25, 2018 and held over until the regular meeting of October 9, 2018, was called up by the Presiding Officer.

RESOLUTION: 37-693-2018

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, pursuant to the provisions of Ordinance #59-073, 2005, that the application of Louis Peter Emond, King Fundraising d/b/a King Limos, for a Certificate of Public Convenience and Necessity to operate a limousine service is hereby approved. A copy of said application is on file in the office of the City Clerk.

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The resolution was read by the City Clerk; whereupon Councilmember Small moved that the resolution be adopted, 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 adopted.

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

Councilmember Richardson moved for the suspension of the rules to consider Ordinance 06-028 being introduced for the first time. The motion was seconded by Councilmember Gregory, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the item.

ORDINANCES BEING INTRODUCED:

AMEND CHAPTER SIX OF THE MOBILE CITY CODE. The following ordinance was introduced by Councilmember Richardson.

ORDINANCE: 06-028-2018

Sponsored by: Councilmember Gregory

AN ORDINANCE TO AMEND CHAPTER SIX OF THE MOBILE CITY CODE

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

Chapter 6 of the Mobile City Code is hereby amended to read, in its entirety, as follows:

Chapter 6 - AMBULANCES AND OTHER MEDICAL TRANSPORTATION

ARTICLE I. - IN GENERAL

Sec. 6-1. - Purpose.

In order to lessen congestion caused by emergency vehicles on the public streets, to facilitate the prompt dispatch of emergency ambulances when needed to protect life and health, and to further promote health, safety and welfare of its citizens, it is hereby declared that the city designates the Mobile Fire Department as the advanced life support/emergency ambulance provider for all 911 calls within the city pursuant to the procedures hereinafter stated. After careful consideration in order to lessen congestion by emergency vehicles on the public streets, to secure safety of pedestrians and vehicles using the public streets and thoroughfares, and additionally because the public necessity requires that such regulations be adopted to preserve and enforce the health, safety and welfare, and the good order and security of the city and its inhabitants, the rules and regulations of private ambulances and municipal emergency ambulances in the city as set out herein are hereby established by the city council exercising sound legislative judgement.

(Ord. No. 06-050, Art. I, 7-23-91)

Sec. 6-2. - Definitions.

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For the purpose of this chapter, the following words, terms, phrases and their derivations shall have the meanings respectively ascribed thereto by this article:

Advanced life support (ALS) shall mean the provision of life saving, stabilizing and supportive emergency medical procedures by firemedics that are complex and invasive in nature.

Alabama Gulf Emergency Medical Services Inc. (AGEMS) shall mean the regional EMS committee as mandated by state law.

Ambulance shall mean any motor vehicle constructed, reconstructed, arranged, equipped or used for the purpose of transporting ill, sick, injured or individuals in need of or requesting medical attention.

Ambulance call shall mean the act of proceeding with an ambulance for the purpose of transporting any patient for compensation.

(1) Emergency shall mean a response to a call in which it is believed that the imminent loss of life or limb will result. To be accomplished with use of all warning devices and lights.

(2) Urgent shall mean a response to a call which does not require the use of all haste but does need to be achieved expeditiously. Warning devices may be used judiciously.

(3) Nonemergency shall mean a response that does not require the use of warning devices including, but not limited to interhospital transfers, discharges to home, visits to physicians' offices and the transport of the deceased patients to funeral homes.

Ambulance attendant shall mean any person licensed as an EMT who has the duty of performing or assisting in the performance of an ambulance call.

Basic Life Support (BLS) shall mean the provision of life saving, stabilizing and supportive emergency medical procedures by EMTs and Firemedics that are simple and non-invasive in nature.

Certificate shall mean a certificate of public convenience and necessity.

City shall mean all areas within the corporate limits of the City of Mobile, Alabama.

City Council shall mean the city council of the City of Mobile, Alabama.

Driver shall mean any EMT who drives or attempts to drive any ambulance and who is responsible for the safe transport of the patient and ambulance attendant(s) to and from emergency scenes and the hospital.

Emergency medical technician (EMT) shall mean ambulance personnel certified and licensed by the state as a basic or specially skilled emergency medical technician. This individual may also be referred to as an ambulance attendant.

Emergency Physicians Advisory Board (EPAB) shall mean an advisory board established herein which will recommend medical protocols, regulations and performance standards related to the medical and clinical aspects of ambulance service in the city.

EMS dispatch center shall mean the central communications center from which all E-911 dispatches originate.

EPAB director shall mean the licensed physician appointed by the EPAB to serve as administrative officer in carrying out the duties and powers of the EPAB.

Fire Chief shall mean the chief of the fire department of the City of Mobile, Alabama or his duly authorized representative.

Fire department shall mean the fire department of the City of Mobile, Alabama.

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Firemedic shall mean an EMT-P/Firefighter employed by the fire department.

Firemedic ambulance shall mean any motor vehicle operated by the Mobile Fire Department that meets the criteria for advanced life support/emergency ambulance.

Interfacility emergency ALS transfer shall mean the transfer of a patient requiring advanced paramedic skill such as the administration of TPA from one facility to another where more advanced procedures are to be performed.

Medical control, off-line shall mean a physician holding a current license from the Medical License Commissioner of Alabama, who provides medical guidance and who oversees and provides quality assurance and medical liaison for an emergency medical service.

Medical control, on-line shall mean direction given ambulance personnel by a base station physician through direct voice contact, with or without vital signs and/or telemetry, as required by applicable medical protocols.

Medical control physician shall mean a physician licensed to practice medicine in the state, knowledgeable in the applicable medical protocols, radio procedure and general operating policies of the Southwest Alabama Regional Emergency Medical Services Region, the city and the Alabama Department of Public Health and a person from whom ambulance personnel shall, subject to the provisions of this code take medical direction in person, by radio, or by remote communications device.

Medical protocol shall mean any diagnosis-specific or problem-oriented written statement of standard procedure, or algorithm, promulgated by the EPAB and approved by the state EMS committee as the normal standard of pre-hospital care for a given clinical condition.

Medical review shall mean a monthly review of ambulance reports and procedures by the offline medical control for quality assurance purposes.

Mutual aid call shall mean a request for emergency ambulance service issued by an ambulance dispatcher in one political jurisdiction to an ambulance dispatcher or ambulance crew in a neighboring political jurisdiction.

Owner shall mean a person engaged in business as the owner, manager, officer or proprietor of a company, firm or organization providing private ambulance service within the city.

Paramedic shall mean a person licensed by the state as an emergency medical technician paramedic.

Patient transport shall mean:

- (1) Category I-Emergency. Patients whose conditions are life threatening or will cause serious permanent physical impairment if not treated immediately.
- (2) Category II-Urgent. Patients whose conditions would not cause loss of life or serious permanent physical impairment if treatment is deferred or delayed but whose condition is such that transportation to a medical facility is warranted.
- (3) Category III-Nonemergency. Individuals with minor medical conditions such as a sprained ankle or migraine headache where the time to treatment is not a critical factor. These patients will be directed to alternative forms of transportation.

Photo identification card shall mean the ambulance attendant photo identification card issued by the fire chief pursuant to the provisions of this chapter, which designates that a particular individual has met the ambulance attendant personnel requirements of this municipal law.

Private ambulance shall mean any motor vehicle meeting the criteria designated by this chapter for ambulances which are owned and operated by a company or corporation doing business within the city.

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(AGEMS) shall mean the regional EMS committee as mandated by state law.

State shall mean the state of Alabama.

State EMS committee shall mean the committee appointed by the state department of public health for the purpose of regulating emergency medical services in the state.

(Ord. No. 06-050, Art. II, 7-23-91; Ord. No. 06-069, § I.A, 10-25-94)

Sec. 6-3. - Penalty.

- (a) Any person who violates any of the provisions of this chapter, Chapter 6 of the City Code (1991, as amended), shall be punished as prescribed in Chapter 1, Division 2, section 1-31 et seq., City Code (1991, as amended).
- (b) Each violation of this chapter shall constitute a separate offense. Continuing violations of this chapter shall constitute a separate offense each day the violation is in existence.
- (c) This section shall not serve to limit any other remedies available to the City in law or equity.

(Ord. No. 06-050, Art. VII, 7-23-91; Ord. No. 06-069, § I.B, 10-25-94)

Sec. 6-4. - Other state laws and regulations.

No portion of this chapter shall be construed in such a manner which is inconsistent with any federal, state or local law or regulations.

(Ord. No. 06-050, § 4.07, 7-23-91)

Sec. 6-5. - Certificate, permits and fees required.

No company, with the exception of ambulance companies lawfully conducting business in the city on July 23, 1991, shall operate an ambulance for hire on any street of the city without first having obtained from the city council a certificate declaring that the public convenience and necessity require such an operation, except as provided herein. No person shall operate an ambulance for hire on any street of the city without having first paid the section 6-47 ambulance permit fee and the section 6-51 ambulance attendant personnel fee, except as provided herein; nor shall any ambulance operate for hire on any city street without having first obtained a business license from the city revenue department. All certificates and permits which are issued pursuant to the provisions of this chapter are nontransferable.

(Ord. No. 06-050, § 3.01, 7-23-91)

Sec. 6-6. - Governmental ambulance exemptions.

All ambulances owned and/or operated by governmental entities, such as the City of Mobile and Mobile County, shall be exempt from the provisions of this chapter. This exemption includes an exception to this chapter's certificate, permit, business license and fee requirements, but in no event shall this exemption be interpreted to exempt any ambulance being operated upon the city streets from this chapter's vehicle safety and personnel training requirements.

(Ord. No. 06-050, § 3.02, 7-23-91; Ord. No. 06-046, 7-6-93)

Sec. 6-7. - Firemedic ambulance service.

- (a) The fire department will determine the patient category of all individuals at the time of response based upon medical protocol. Individuals not requiring category I (ALS/emergency) transport shall be so informed. The individual shall also be instructed that they may choose an alternate form of transportation such as a private ambulance, privately owned vehicle or a taxi service.

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(b) The fire department shall provide emergency medical treatment and transportation with regard to the patient and shall not refuse transport of any patient requiring category I (ALS/emergency) treatment to a hospital within the city: regardless of the patient's insurance status or ability to pay.

(c) The following firemedic ambulance fees shall apply within the city. Said fees shall be billed by the fire department with the assistance of the City's legal department and any outside administrative or professional support personnel necessitated by the volume of ambulance accounts:

(1) ALS-I transport	\$600.00
ALS-II transport	\$650.00
(2) BLS-I transport	\$450.00
BLS-II transport	\$500.00
(3) Emergency inter-facility transfer	\$1,200.00
(4) Mileage, per mile	\$12.00
(5) Patient assessment fee for those patients who have been determined not to be in need of emergency services	\$60.00
(6) Standby fee at special functions with a minimum four-hour charge, per hour	\$150.00
(7) Medical service fee where advanced life support medical treatment is rendered at the scene but no transport occurs	\$175.00
(8) EMS bike team/foot patrol team standby fee	\$100.00
(9) Mini-ambulance, per hour	\$100.00
Incident commander, per hour	\$75.00
EMS supervisor, per hour	\$75.00
Logistic officer, per hour	\$75.00
Communications officer, per hour	\$75.00
Operations officer, per hour	\$75.00
Planning officer, per hour	\$75.00
Logistics team (two (2) persons), per hour	\$150.00
Entire incident command staff at a minimum of four (4) hours, per hour	\$500.00
(10) ALS Disposable Supplies	\$100.00
(11) IV Disposable Supplies	\$50.00
(12) Oxygen	\$50.00
(13) BLS Disposable Supplies	\$50.00

Due to the complexity of some special events request for coverage, the City's fire rescue department's EMS administration division shall recommend the number of units, equipment and personnel required, and to be deployed, to ensure response reliability and public safety efficiency and effectiveness, for events that are requesting service whether vendor sponsored or paid overtime.

Any special event held within the city limits that is not a City-sponsored event and is expected to generate a crowd of five thousand (5,000) people or greater shall submit to the EMS Division an event plan detailing the EMS coverage planned for the event. The Division shall review the plan and determine the number of units, equipment and personnel required, and may allow some or all of the proposed services to be provided by private ambulance services.

The event sponsor/planner shall be responsible for paying the cost for MFRD personnel, equipment and services as listed above for EMS coverage. The event plan shall be forwarded to the EMS division for review at least two (2) weeks prior to the event and the EMS division will determine the adequate amount of coverage needed for the event, and cost of the coverage and shall provide the determined amount of coverage for the event. Payment arrangements for any special events coverage shall be made through the Chief of Staff or his/her designee for the City's fire rescue department prior to the event and payment shall be made not later than thirty (30) days after the event. Events that are partially sponsored by the City in conjunction with other entities shall be responsible for reimbursing the City the personnel overtime cost for each individual MFRD employee working the event for the total number of hours worked including pre-event briefings and post event debriefings.

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(d) Under unusual and extraordinary circumstances, a firemedic ambulance may transport any patient deemed appropriate by the firemedic and/or on-line medical control, regardless of the patient's transport category. Under such circumstances, however, the appropriate above-cited subsection (c) fee shall be assessed to the individual.

(e) The City hereby establishes a capital improvements project called the Mobile Fire Department Equipment Acquisition and Maintenance Project to be financed by a transfer of fifteen (15) percent of the annual cash receipts generated by the city's ALS enterprise fund from ambulance service fees with the annual period beginning October 1 and ending September 30 of each fiscal year following the passage of this section, along with any such designated endowments from private sources. The use of monies from said capital improvements project shall be limited to fire department purposes and restricted for capital equipment purchases, repairs and regular maintenance of fire department equipment.

(Ord. No. 06-050, § 3.04, 7-23-91; Ord. No. 06-069, § I.C, 10-25-94; Ord. No. 06-049, 9-26-00; Ord. No. 06-054, 10-1-02; Ord. No. 06-049-2016, § I, 9-27-16)

Sec. 6-8. - Private ambulance ALS—Duties and responsibilities.

Private ambulance services within the city shall have the following ALS/emergency duties and responsibilities:

- (1) Interfacility transfer of medically stable patients that require a paramedic to monitor fluids, EKG rhythms or administer medications.
- (2) Patients who, during routine nonemergency transport, develop problems that require ALS procedures.
- (3) Continuation of ALS instituted outside the city limits and to a facility inside the city.
- (4) Transport of those emergency patients who desire private ambulance service and who directly call the private organization to transport the individual to the facility of his or her choice.
- (5) Interfacility transport of emergency ALS patients.
- (6) All ambulances should have use of a TDD tied into the 911 number, and use other TDD's where and when needed.

(Ord. No. 06-050, § 4.08, 7-23-91; Ord. No. 01-044, § 1, 6-7- 93)

Sec. 6-9. - Unlawful operation and prohibited acts.

(a) It shall be unlawful for any person to intentionally or knowingly:

(1) Follow any police car or fire apparatus which is traveling in response to an emergency call on the streets of the city or to follow any ambulance to or near the scene or an emergency call on the streets of the city.

(2) Solicit on the streets of the city the business of transporting injured or sick persons. This prohibition shall not be construed to prohibit lawful advertisements.

(3) Intercept any communication concerning traffic accidents on the streets of the city and divulge or publish the existence, contents, substance, purpose, effect or meaning of such intercepted communication and no such solicitor, owner or person, not being entitled thereto, shall receive or assist in receiving any such message emanating through the radio medium of the police or fire department for his own benefit or for the benefit of another solicitor, owner or person in the business of furnishing ambulance service.

(4) Use on a vehicle a siren or flashing red light(s) other than brake lights without prior authorization by the fire dispatcher.

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(5) Use a uniform, insignia, badge, title, identification card or vehicle marking that so closely resembles or mimics those of the fire department as to confuse the public.

(6) Own or cause to be operated an ambulance on any street of the city without first having obtained a permit thereof in accordance with this chapter or unless exempted therefrom by the provisions of this chapter.

(7) Request the services of any ambulance which is not licensed or permitted in accordance with the provisions of this chapter or exempted therefrom by the provision of this chapter.

(8) Perform duties as an ambulance attendant (EMT or paramedic) without a current permit issued by the licensing officer in accordance with this chapter.

(9) Permit or allow a person to perform duties as an ambulance attendant (EMT or paramedic) without a current permit issued by the fire chief in accordance with this chapter.

(10) Give false information to induce the dispatch of an ambulance.

(b) The fire department may update this list of prohibited acts from time to time subject to medical protocols and federal, state and local laws.

(Ord. No. 06-050, Art. V, 7-23-91)

Secs. 6-10—6-15. - Reserved.

ARTICLE II. - ADVISORY BOARD

Sec. 6-16. - Emergency physicians advisory board authorized.

The City Council hereby authorizes the establishment of an emergency physicians advisory board (EPAB) which shall serve as an advisory, and educational board for the fire department in regard to ambulance personnel qualifications, ambulance equipment and medical protocols of the ambulances within the city in accordance with the provisions of this chapter.

(Ord. No. 06-050, § 6.01, 7-23-91)

Sec. 6-17. - EPAB qualifications.

EPAB shall consist of a board whose membership shall be composed of the medical director, or his designee, of each hospital emergency department which is located within the corporate limits of the city, the medical director of the fire department and the medical director of each ambulance service licensed and authorized by this chapter to operate in the city. Each director shall have one vote in the governance of the affairs of EPAB. The fire chief shall be an ex officio member of the board.

(Ord. No. 06-050, § 6.02, 7-23-91)

Sec. 6-18. - EPAB director.

EPAB shall appoint a director who shall be responsible for the day-to-day affairs of EPAB in carrying out its duties under this chapter. The EPAB director shall be a licensed physician currently practicing as an emergency department physician. The director shall serve for such period of time as shall be prescribed by the EPAB, but shall be removable at the discretion of the EPAB, which decision shall be final. In the case of absence or disability of the EPAB director, the EPAB shall designate a similarly qualified physician to perform the duties of the EPAB director.

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(Ord. No. 06-050, § 6.03, 7-23-91)

Sec. 6-19. - Responsibilities and duties of EPAB; relationship to the fire department.

(a) EPAB shall serve without limitation:

(1) To develop and suggest criteria and make recommendations to the fire department concerning the issuance, renewal, suspension and revocation of all licenses, permits and certificates issued under this chapter;

(2) To recommend standards for patient care, including standards for vehicles and on-board equipment;

(3) To develop medical protocols and periodically revise same;

(4) To develop dispatch center medical protocols and periodically revise same;

(5) The EPAB shall promulgate standards for certification as a base station physician and standards for certification of the facilities to be used by base station physicians, including but not limited to communication equipment, telemetry equipment and recording equipment. They shall also develop and periodically revise and administer educational material, programs and/or tests to insure that base station physicians are appropriately knowledgeable of the local ambulance system and to certify qualified physicians;

(6) The EPAB shall recommend standards and promulgate protocols for effective control center, dispatch radio and other remote communication facilities, including but not limited to telephone protocols, pre-arrival instructions, phone patch procedures.

(b) All responsibilities and duties granted to the EPAB by this chapter may also be performed by the fire department.

(Ord. No. 06-050, § 6.04, 7-23-91)

Sec. 6-20. - Conflict of interest.

(a) With the exception of off-line medical directors and on-line medical directors, no person shall serve as a voting member of the EPAB, nor as director, if such person is an officer, director, employee, or is otherwise affiliated with, directly or indirectly, any private ambulance owner whose activities are regulated hereunder.

(b) No person shall serve as a voting member of the EPAB, nor as director, if such person is an officer, director, employee, or otherwise affiliated with, directly or indirectly, a hospital, health services provider, or any other organization which is affiliated with, directly or indirectly, any ambulance owner whose activities are regulated hereunder.

(c) Upon the written request of any hospital in the city, the EPAB, in coordination with the fire chief, may investigate any alleged impropriety in regard to the selection of hospitals or other facilities as destinations for ambulance runs.

(Ord. No. 06-050, § 6.05, 7-23-91)

Secs. 6-21—6-30. - Reserved.

ARTICLE III. - PERMITS AND CERTIFICATES

DIVISION 1. – GENERALLY

Sec. 6-31. - When certificates not needed.

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No certificate of public convenience and necessity shall be required for any person operating emergency ambulance or other vehicles under the following conditions:

(1) Rendering assistance during any catastrophe or major emergency when the ambulances authorized to operate in the city by certificate are either insufficient in number or inadequate for any other reason, as determined by the fire chief or fire dispatch center;

(2) Operating an ambulance brought in solely for the purpose of a drill or training exercise;

(3) Operating any ambulance rendering requested assistance currently authorized by the city in cases of disaster or major emergency pursuant to provisions of a mutual aid agreement approved by the city.

(4) Traveling through the city, or the transporting of patients who are picked up beyond the limits of the city to locations within the city and returning those patients to their point of pickup.

(Ord. No. 06-050, § 3.03, 7-23-91; Ord. No. 06-067, § 1, 9-1-92)

Sec. 6-32. - Application for certificate of public convenience and necessity.

Applications for a certificate of public convenience and necessity for the operation of an ambulance within the city shall be in writing, signed and sworn to by the applicant, and shall be filed with the fire chief of the city or his duly authorized representative. The application shall be on a form prescribed by the fire chief and shall contain at least the following:

(1) The name and address of the applicant and the trade name under which the applicant does or proposes to do business; if the applicant is an individual, the name, age and address of the applicant and the length of time the applicant has resided in the city; or if a partnership or association, the business name thereof and the name, age and address of each partner and the length of time each partner has resided in the city; or if a corporation, the names and addresses of all officers and directors of such corporation.

(2) The number of vehicles the applicant desires to operate and the class, size, design and color scheme of each vehicle.

(3) Whether or not the applicant has ever been convicted of any crimes directly or indirectly related to the duties and responsibilities of operating ambulances.

(4) Whether or not the applicant, his associates or employees have any claims or judgments against them for damages resulting from the negligent operation of an ambulance, or any other vehicle.

(5) The financial ability of the applicant to comply with the provisions of the chapter.

(6) The nature and character of the service that the applicant proposes to render; the facts showing the demand for such service; the experience that the applicant has had in rendering such service and the period of time, if any, that he has rendered it in the city.

(7) Documentation from the applicant's insurance carrier, stating that the insurance required hereunder is available to the applicant and that such coverage is or will be provided prior to the issuance by the fire chief of the certificate to operate hereunder.

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(Ord. No. 06-050, § 4.01, 7-23-91)

Sec. 6-33. - Investigation of applications.

Upon receipt of a properly filed application for a private ambulance service certificate of public convenience and necessity the fire chief shall cause an investigation to be made of the information provided in the application to determine if it is accurate and complete.

(Ord. No. 06-050, § 4.02, 7-23-91)

Sec. 6-34. - Public hearings upon the public convenience and necessity of issuing such certificate.

(6) Upon receipt of the written investigative report provided for in section 6-33, the council shall schedule a public hearing by resolution. Notice of such public hearing by the council shall be given by publishing said notice once in a newspaper of general circulation within the city at least ten (10) days prior to the date set for such hearing. The purpose of such public hearing shall be to determine, among other things, the following:

- (1) Whether or not the public convenience and necessity require the operation of such ambulance or ambulances;
- (2) Whether the applicant will be able to provide ambulance service of such permanence and quality as to best serve the public interest;
- (3) The experience that the applicant has had in rendering ambulance service;
- (4) The past experience of the applicant in satisfying judgments, if any, to claimants as a result of injuries received by reason of negligent operation of the ambulance;
- (5) The financial ability of the applicant to respond to damages to property resulting from the negligent operation of an ambulance;
- (6) The character and condition of the ambulance(s) and capabilities of ambulance attendant personnel to be used by the proposed ambulance business.

(b) In the event the City Council finds that the public convenience and necessity require the issuance of such a certificate and that the applicant meets the required qualifications and will be able to give proper and adequate service in the best interest of the inhabitants of the city, the mayor shall direct the fire chief to issue a certificate of public convenience and necessity to the applicant; said certificate of public convenience and necessity shall state any restrictions mandated by the city council, including but not limited to time periods and number of authorized ambulances.

(Ord. No. 06-050, § 4.03, 7-23-91)

Sec. 6-35. - Form, contents, and issuance of certificate.

(a) Every certificate issued hereunder shall be authorized by the city council and the mayor, signed by the fire chief, and attested by the city clerk and shall contain, in addition to the name and address of the applicant, the number of vehicles authorized to be operated pursuant to such certificate along with any time limits which may be applicable.

(b) The fire chief, upon receiving direction from the mayor to issue a certificate to an applicant for the operation of ambulances hereunder, shall issue such certificate to the applicant. A copy of every certificate issued shall be filed with and maintained by the fire department and the city clerk's office.

(Ord. No. 06-050, § 4.04, 7-23-91)

Sec. 6-36. - Causes of revocation, alteration or suspension of certificate or permit.

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Every certificate or ambulance permit issued hereunder shall be subject to revocation, alteration or suspension by the City if any of the following conditions should occur:

- (1) The public convenience and necessity no longer warrant such operation;
- (2) The owner has refused to render the full service authorized by his certificate;
- (3) The owner has been convicted of a crime which directly relates to the duties and responsibilities of the certified occupation;
- (4) The certificate was obtained by an application in which any material fact was intentionally omitted or falsely stated;
- (5) The owner has persisted in permitting his motor vehicles to be operated in violation of any law;
- (6) The owner has willfully and knowingly violated or failed to comply with any of the provisions hereof;
- (7) The owner or his agent has, without good cause, induced or sought to induce a change of destination to or from a hospital or other place specified by the person hiring the ambulance;
- (8) The owner or his agent has allowed the service to be operated in a negligent manner;
- (9) The insurance coverage required herein has been cancelled, reduced, withdrawn, suspended or terminated;
- (10) The owner has allowed any of his vehicles or equipment to become damaged, deteriorated or unclean to the extent that it is unsatisfactory for public use;
- (11) The owner fails to maintain the financial ability to comply with the terms of this chapter;
- (12) The owner has failed to comply with the limitations imposed by the city council in the certificate;
- (13) The owner has failed to comply with applicable federal, state or local laws or regulations.

(Ord. No. 06-050, § 4.05, 7-23-91)

Sec. 6-37. - Procedure for revocation, alteration or suspension of certificate or permit.

The fire chief, or his duly authorized designee, may at any time give notice in writing to the certificate or permit holder or person in control of the operation and maintenance of such ambulance service and the city clerk's office that the certificate issued for the operation and maintenance of such ambulance service has been suspended or revoked. The notice shall outline the reason or reasons for suspension or revocation. The notice of suspension or revocation shall become final ten (10) days after the notice of suspension or revocation is received unless on or before the expiration of such ten (10) days the certificate holder shall file within the City Clerk's office or the fire chief a written notice of appeal of such suspension or revocation. The appeal shall operate as a stay of suspension or revocation of the certificate until such time as the city council shall grant a hearing and make a final adjudication which shall be appealable to the circuit court of the county. This hearing before the city council will be held in a reasonable time.

(Ord. No. 06-050, § 4.06, 7-23-91)

Secs. 6-38—6-45. - Reserved.

DIVISION 2. - VEHICLE AND PERSONNEL

Secs. 6-46, 6-47. - Reserved.

Editor's note— Section II A and B of Ord. No. 06-069, adopted October 25, 1994, repealed §§ 6-46 and 6-47 which pertained to permit requirements and fees and derived from Ord. No. 06-050, §§ 4.50, 4.51, adopted July 23, 1991.

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Sec. 6-48. - Ambulance attendant personnel, photo identification card required.

No ambulance attendant shall drive, manage or control any ambulance on any public street or thoroughfare in the city, attend or render any care to any passenger, or otherwise perform duties in any such ambulance for compensation without having been examined and issued an ambulance attendant photo identification card by the fire chief. The fire chief shall issue to any such person a photo identification card certifying compliance with the provisions of this municipal law.

(Ord. No. 06-050, § 4.60, 7-23-91; Ord. No. 06-069, § I.D, 10-25-94)

Sec. 6-49. - Qualifications of applicants for ambulance attendant photo identification card.

(a) Ambulance attendant applicants shall meet the following minimum requirements:

(1) Each applicant for an ambulance photo identification card must be the holder of a current valid driver's license.

(2) Each applicant must possess a current, valid EMT license issued by the Alabama Department of public health that identifies their level of certification. No one may perform the duties of an EMT in the city without a current, valid, state EMT license.

(3) Each applicant must be fluent in and be able to read and write the English language.

(4) Each applicant shall not have been convicted of a crime that directly relates to the duties and responsibilities of being an ambulance attendant.

(5) Each applicant shall be not less than eighteen (18) years of age.

(b) Said minimum requirements shall be updated from time to time by the EPAB and/or firemedic division of the fire department subject to the approval of the fire chief. The fire chief shall have the authority to implement any such updates by affirming any such recommendations; vetoes shall also be within the authority of the fire chief.

(Ord. No. 06-050, § 4.61, 7-23-91; Ord. No. 06-069, § I.E, 10-25-94)

Sec. 6-50. - Applications for ambulance attendant photo identification card.

All applications for ambulance attendant photo identification cards hereunder shall be made upon forms prescribed by the fire chief and shall contain the information deemed necessary and shall be signed and sworn to by the applicant.

(Ord. No. 06-050, § 4.62, 7-23-91; Ord. No. 06-069, § I.F, 10-25-94)

Sec. 6-51. - Ambulance attendant photo identification card issuance; renewal and fee.

(a) Photo identification cards for ambulance attendant personnel shall be valid for three (3) years, to coincide with the expiration of each applicant's state EMT license.

(b) Each applicant at time of application must present their current valid state EMT license and current, valid driver's license.

(c) A fee of fifteen dollars (\$15.00) shall accompany the application and each renewal.

(d) Replacement cards shall be issued when necessary at a fee of five dollars (\$5.00) each.

(Ord. No. 06-050, § 4.63, 7-23-91; Ord. No. 06-069, § I.G, 10-25-94)

Sec. 6-52. - Display of photo identification card.

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The photo identification card of each driver and attendant shall be worn on the person so as to be visible at all times while on duty.

(Ord. No. 06-050, § 4.64, 7-23-91; Ord. No. 06-069, § I.H, 10-25-94)
Sec. 6-53. - Rules for ambulance attendants.

All ambulance attendants shall comply with the rules of conduct as specified by the fire chief. These rules shall be given to each ambulance attendant applicant when their photo identification card is issued. Said rules may be updated from time to time by the EPAB and/or firemedic division of the fire department subject to approval and implementation by the fire chief.

(Ord. No. 06-050, § 4.65, 7-23-91; Ord. No. 06-069, § I.I, 10-25-94)

Sec. 6-54. - Suspension or revocation of photo identification card.

(a) The fire chief shall have the power to suspend, alter or revoke the photo identification card of any ambulance personnel for the following:

- (1) Failure to meet the requirements referred to or authorized in section 6-49;
- (2) Failure to pay the section 6-51 photo identification card fee;
- (3) Failure to display the photo identification card as required in section 6-52;
- (4) Violation of rules as provided in section 6-53;
- (5) Failure to comply with rules and regulations established by the fire chief, EPAB, or city council; or
- (6) Failure to comply with applicable federal and state laws.

(b) The fire chief may at any time give notice in writing to the photo identification card holder that the card has been suspended or revoked. The notice shall outline the reason(s) for suspension or revocation. The notice of suspension or revocation shall become a final revocation after the expiration of ten (10) days from the date of the issuance of the notice of suspension or revocation and service of same upon the attendant, unless on or before the expiration of such ten (10) days the [card] holder shall file with the City Clerk and the fire chief a written appeal of such suspension or revocation. The appeal shall operate as a stay of suspension or revocation, of the card issued, until such time as the City Council shall grant a hearing and make a final adjudication. Provided, however, the fire chief may require immediate suspension of the photo identification card for public safety purposes. If this requirement is made, the photo identification card shall be suspended during the period in which the appeal is pending. The hearing shall be held within thirty (30) days after the date of filing of the appeal, and such action and judgment of the city council, after hearing all the evidence and facts, shall be final. Such final judgment by the city council shall be appealable to the circuit court of the county.

(c) The EPAB director may recommend suspension and/or revocation of the photo identification card to the fire chief who shall cause an investigation to be made into the circumstances surrounding the proposed suspension and/or revocation.

(Ord. No. 06-050, § 4.66, 7-23-91; Ord. No. 06-069, § I.J, 10-25-94)

Secs. 6-55—6-65. - Reserved.

ARTICLE IV. - OPERATIONAL PROCEDURE

Sec. 6-66. - Central place of business.

Each private ambulance service owner shall maintain a central place of business with at least one properly listed telephone for receiving all calls for ambulance service, where all business records and daily manifests herein required shall be maintained and available upon request and be generally responsible for the conduct and operation of its ambulance(s). Each owner shall, in writing, immediately notify the fire chief of any

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change of the business address or of the telephone number where said owner may be contacted at all times.

(Ord. No. 06-050, § 4.30, 7-23-91)

Sec. 6-67. - Certificate holder's records and reports.

(a) Each certificate holder shall maintain a daily manifest upon which shall be recorded the date, time call received and name of individual calling, time of arrival at requested location, place of origin, patient's name and address, destination and charges for each trip.

(b) Each such owner shall retain and preserve all daily manifests for at least twenty-four (24) months, and such manifests shall be available for inspection by the fire chief or his duly authorized representatives upon request.

(c) Each such owner shall maintain such records at a place readily accessible for examination by the fire chief or his duly authorized representative.

(d) Any violation of this section shall be subject to prosecution pursuant to the authority of City Code, section 1-31 et seq. (1991, a amended), in accordance with section 6-3.

(Ord. No. 06-050, § 4.31, 7-23-91; Ord. No. 06-069, § I.K, 10-25-94)

Sec. 6-68. - Sanitary bed linens required per patient.

Clean and sanitary bed linens shall be provided for each patient carried and shall be changed after the discharge of each patient.

(Ord. No. 06-050, § 4.32 A, 7-23-91)

Sec. 6-69. - Two (2) licensed attendants required.

Each ambulance shall have a minimum of two (2) ambulance personnel who hold current licensure as emergency medical technicians from the Alabama Department of Public Health. At least one member of the ambulance personnel shall remain in attendance to the patient being conveyed while the other may serve as the driver. Attendants should have access to interpreters, and other auxiliary aids and services, to assist disabled persons.

(Ord. No. 06-050, § 4.32 B, 7-23-91; Ord. No. 01-044, § 1, 7-6-93)

Sec. 6-70. - Standards of vehicle and equipment.

(a) All motor vehicles used for the purpose of providing ambulance service hereunder shall be designed and constructed to transport ill, sick, or injured persons in comfort and safety, and shall be maintained in clean, sanitary and first-class mechanical condition at all times and comply with all applicable federal, state or local laws.

(b) All motor vehicles used for the purpose of providing ambulance service hereunder shall be equipped according to current federal, state and local standards as may be updated from time to time by the EPAB and the firemedic division of the fire department subject to approval by the fire chief.

(Ord. No. 06-050, § 4.33, 7-23-91)

Sec. 6-71. - Ambulance equipment safety.

(a) All mechanical, safety and special equipment shall be subject to inspection at any time by the fire department.

(b) If an ambulance and/or its associated equipment is found to be a hazard to the health or safety of the public, the fire chief may order it removed from service until such hazard has been remedied.

(c) Upon completion of any necessary inspection, the inspecting mechanic shall furnish the fire chief a letter on his business stationary certifying that said vehicle is

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in sound mechanical condition and is safe for operation on the streets of the city as an emergency vehicle.

(d) No ambulance that has been substantially damaged or altered, since inspection in accordance with this law, shall be allowed back in service until it has been reinspected by the certifying garage and approved by the fire department.

(Ord. No. 06-050, § 4.34, 7-23-91; Ord. No. 01-055, § 1, 7-6-93; Ord. No. 06-069, § I.L, 10-25-94)

Sec. 6-72. - Fees.

(a) The following shall be the maximum allowable ambulance service fees in the city for both private and public ambulances:

(1) BLS (non-emergency)	\$400.00
(2) BLS (emergency)	\$400.00
(3) ALS 1 (non-emergency)	\$500.00
(4) ALS 1 (emergency)	\$500.00
(5) ALS 2 (emergency)	\$550.00
(6) Specialized care transport	\$825.00
(7) Oxygen	\$40.00
(8) Mileage	\$10.00/mi.
Standby fee for special functions with a minimum four-hour charge	\$150.00
(9) Medical Service Fee (On scene ALS treatment, but no transport	\$200.00

These fees shall become effective April 10, 2007.

(b) In addition to the above enumerated charges, any ambulance required to wait for a patient at any hospital, clinic, medical office, or nursing home may charge sixty dollars (\$60.00) per hour after a waiting period of ten (10) minutes, with a minimum charge of ten dollars (\$10.00); they may also charge for standby at special functions, e.g. sports events; however no fee may be charged for a standby at the scene of any accident or disaster by either private or public ambulances.

(Ord. No. 06-050, § 4.35, 7-23-91; Ord. No. 06-069, § I.M, 10-25-94; Ord. No. 06-049, 9-26-00; Ord. No. 06-017-2005, 2-22-05; Ord. No. 06-036-2005, 4-26-05; Ord. No. 06-012-2007, 4-10-07)

Sec. 6-73. - Radio dispatcher procedure.

(a) In the event an owner receives a private call for ambulance service which is of any emergency nature, said owner shall report to the fire dispatcher such call, giving the location and the nature of the call, if known, and request clearance to use their warning devices giving both the location of the incident and, when determined, the destination of the patient.

(b) It shall be unlawful for a private ambulance attendant or owner to make an emergency ambulance call on the city streets without:

- (1) Having been requested by a private individual, and
- (2) Subsequently being given route clearance by the fire department either prior to departure or while in route.

(Ord. No. 06-050, § 4.36, 7-23-91)

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Sec. 6-74. - Use of emergency warning devices.

(a) All private ambulances responding to emergency calls outside the city must obtain route clearance from the fire dispatcher to travel and operate ambulances and warning devices upon city streets.

(b) After a private ambulance has responded to an apparent nonemergency call and arrived at the point of pickup, it shall be unlawful for the ambulance to proceed to the hospital or other destination with the use of emergency warning equipment except where serious medical conditions exist, such as in the case of category I or II patients. The fire department dispatcher however must be notified by the owner of the circumstances surrounding the call and the need to use emergency warning equipment upon the city streets.

(c) No clearance shall be necessary for patients being transported from a point of pick-up to a physician's office, clinic or nursing home, nor shall a clearance be issued for the transport of a deceased patient from point of pick-up to any funeral home or morgue, but emergency warning equipment is not authorized for such transports.

(Ord. No. 06-050, § 4.37, 7-23-91)

Sec. 6-75. - General vehicular procedure in emergency situation.

(a) When the driver of any ambulance has reasonable grounds to believe that an emergency exists, the driver of the ambulance may:

(1) Park the ambulance or stand in any place in order to provide medical services irrespective of the otherwise applicable provisions of law, ordinance or regulations;

(2) Proceed with warning devices operating past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(3) Exceed the maximum speed limits permitted by law, ordinance or regulation; provided, however, that any governing directives issued by the city's chief of police are obeyed and that life and property are not endangered thereby;

(4) Disregard with warning devices operating laws, ordinances and regulations governing directions or movements or turning in specified directions.

(b) The foregoing provision shall not operate to relieve the driver of any ambulance from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

(Ord. No. 06-050, § 4.38, 7-23-91)

Sec. 6-76. - Duties of the fire chief.

It shall be the duty and responsibility of the fire chief to:

(1) Administer the provisions of this chapter.

(2) Investigate or cause his designee to investigate all complaints involving any type of ambulance service within the city and take appropriate action where necessary.

(Ord. No. 06-050, § 3.05, 7-23-91)

Sec. 6-77. - Professional conduct.

Paramedics, EMT's, drivers, dispatch personnel and all other personnel employed by the owner hereunder, including all persons involved in billing and collection activities, shall, at all times, conduct themselves in a professional manner as generally described in the "Rules for Ambulance Attendant".

(Ord. No. 06-050, § 4.39, 7-23-91)

Secs. 6-78—6-85. - Reserved.

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ARTICLE V. - NONEMERGENCY TRANSPORT

Sec. 6-86. - Private company used for nonemergencies.

In order to provide maximum ALS/emergency medical coverage for the citizens of the city, the fire department shall inform individuals who request nonemergency transport when contacting 911 that they must contact a private ambulance company or use alternative forms of transportation. All nonemergency transport shall have access to TDD's and other auxiliary aids and services to assist disabled persons who use the service.

(Ord. No. 06-050, Art. IV B, 7-23-91; Ord. No. 01-044, § 1, 7-6-93)

Sec. 6-87. - Reimbursement of nonemergency ambulance transport.

Private ambulance service shall be responsible for the billing and collection of fees from private transported individuals. The city will not compensate private ambulance services for private ambulance transportation services rendered.

(Ord. No. 06-050, § 4.20, 7-23-91)

Sec. 6-88. - Reserved.

Editor's note-Section II.C of Ord. No. 06-069, adopted October 25, 1994, repealed § 6-88, which pertained to procedures for nonemergency transport and derived from Ord. No. 06-050, § 4.21, adopted July 23, 1991.

Sec. 6-89. - Disposition of the deceased.

(a) Transport of individuals that are obviously dead, where the death is not of a suspicious nature and not under investigation by any law enforcement agency shall be the responsibility of the family of the deceased. Arrangements may be made with a private ambulance service or funeral home for transport. Where family of the deceased cannot be located the transport of the body shall be coordinated with the county medical examiner's office.

(b) Transport of deceased individuals where the deaths are being investigated by a local law enforcement agency shall be the responsibility of that agency.

(c) Under no circumstances shall firemedic ambulances be used to transport the bodies of deceased individuals.

(Ord. No. 06-050, § 4.22, 7-23-91)

REPEALER. All City Code sections and ordinances or parts of City Code sections and ordinances in conflict are hereby repealed.

EFFECTIVE DATE. This amendment shall be effective following adoption and publication.

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. - Series 2018, was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on October 14, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand on this 9th day of October, 2018.

City Clerk

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The ordinance was read by the City Clerk; whereupon Councilmember Richardson moved that the ordinance be adopted, which was seconded by Councilmember Rich. 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 ordinance adopted.

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

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 03-703 – 58-711 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:

APPOINT DERRICK BROWN TO THE HISTORY MUSEUM OF MOBILE BOARD. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 03-703-2018

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Derrick Brown is appointed to fill an un-expired term to the History Museum of Mobile Board effective immediately for a term ending December 31, 2018.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, 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 adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A MANUFACTURER LICENSE FOR HAINT BLUE, 806 MONROE STREET. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 37-704-2018

Sponsored by: Councilmember Manzie

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

Type of application: Manufacturer License

Submitted by: Haint Blue Brewing Company, LLC

Location: Haint Blue

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806 Monroe Street
Mobile, AL 36602

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, 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 adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR-CLASS I LICENSE, FOR CLUB ELEGANCE, 208 NORTH LAFAYETTE STREET. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 37-705-2018

Sponsored by: Councilmember Manzie

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

Type of application: Lounge Retail Liquor-Class I License

Submitted by: Club Elegance, LLC

Location: Club Elegance
208 North Lafayette Street
Mobile, AL 36604

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, 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 adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE, FOR CHARM THAI KITCHEN, 960 SCHILLINGER ROAD SOUTH, SUITE K. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 37-706-2018

Sponsored by: Councilmember Rich

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

Type of application: Restaurant Retail Liquor License

Submitted by: Charm Thai Kitchen, LLC

Location: Charm Thai Kitchen

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960 Schillinger Road South, Suite K
Mobile, AL 36695

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, 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 adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (ON/OFF PREMISES) LICENSE, FOR MOD PIZZA, 3980 A 2 AIRPORT BOULEVARD. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 37-707-2018

Sponsored by: Councilmember Daves

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

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

Submitted by: Southern Pie, LLC

Location: Mod Pizza
3980 A 2 Airport Boulevard
Mobile, AL 36608

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, 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 adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL RETAIL LICENSE-30 DAYS OR LESS, FOR 2018 GREATER GULF STATE FAIR, 1035 NORTH CODY ROAD, UNIT A. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 37-708-2018

Sponsored by: Councilmember Gregory

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

Type of application: Special Retail License - 30 days or less

Submitted by: Bamboo Japanese Steakhouse Restaurant, Inc.

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Location: 2018 Greater Gulf State Fair
1035 North Cody Road, Unit A
Mobile, AL 36608

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, 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 adopted.

DECLARE THE STRUCTURE AT 1622 WARDWOOD DRIVE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-709-2018

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 1622 WARDWOOD DRIVE has been found, by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1622 WARDWOOD DRIVE as:

LOT 33 WARD SUB 2 MBK 6/105 #SEC 40 T5S RIW #IVIP32 09 40 0 001

Parcel number: 32 09 40 0 001045

Last assessed to: LEVENE RICHARD A

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 Rich moved that the resolution be adopted, which was seconded by Councilmember Daves 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 3213 MORGAN ROAD IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-710-2018

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 3213 MORGAN 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, 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 3213 MORGAN ROAD as:

LOT 21 & N 1/2 OF LOT 20 MBK 3 P 411 BEING A RESUB OF LOTS 10 & 11 BLK F RIVERSIDE SUB MBK 3 P 411 #SEC 40 IBS RIW #VIP32 07 40 0 004

Parcel number: 32 07 40 0 004 110

Last assessed to: YOUNG JEROME L

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 Rich moved that the resolution be adopted, 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 adopted.

DECLARE WEEDS NOXIOUS, GROUP #1583. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 58-711-2018

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

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

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

SECTION 1: It has been determined by the City Council of Mobile that the weeds growing on the privately owned lots or parcels of land described in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part thereof as though set forth in full, known as Group #1583 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 13th day of November, 2018, 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					
GROUP 1583					Res. No.
10/9/2018	LOTS TO BE DECLARED				58-
11/13/2018	LOTS FOR PUBLIC HEARING				58-
//2018	LOTS TO BE ASSESSED FOR COST				58-
No.	Address	SRO No.	Amount Assessed	Dis	N/A
1	1754 Belfast St	889456		2	
2	756 Montgomery St	889457		2	
3	1212 Barker Dr	889458		7	
4	7011 Felhorn Rd N	889459		7	
5	310 Dunbar St	889461		2	
6	12 Washington PL	889462		2	
7	553 English St	889463		2	
8	106 Herndon Ave	889465		2	
9	1608 Wexford St	889466		2	
10	287 Holly Dr	889468		2	
11	1203 Old Shell Rd	889470		2	
12	1554 Duval St	889471		2	
13	1211 Ghent St	889473		2	
14	450 Booker St	889474		2	
15	2100 Dauphin Island Pkwy	889475		3	
16	2915 aka 2911 Dauphin Island Pkwy	889477		3	
17	1580 Johnston St	889479		3	
18	2356 N Octavia Dr	889482		3	
19	1405 Chinquapin St	890412		2	
20	1407 Chinquapin St	890414		2	
21	401 aka 405 Calhoun St	890415		2	
22	905 Jakes Ln	890416		2	
23	2108 Panorama Blvd	894646		4	
24	2410 Denmark St	894943		1	
Total			\$ -		
District total for this group		Numbers of lots cut			
1	1				
2	16				
3	4				
4	1				
5	0				
6	0				
7	2				
	24			0	
*ADD Added in from other Groups					
*CBO Cut By Owner					
*N/A Taken out by Inspector					

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, 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 adopted.

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

Councilmember Richardson moved for the suspension of the rules to consider CIP Resolutions 01-712, 21-713 and 21-715 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.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT WITH THE ALABAMA DEPARTMENT OF TRANSPORTATION (ALDOT) FOR INTERSECTION IMPROVEMENTS-CONGESTION MANAGEMENT PROCESS-SR-16 (US 90) FROM BROAD STREET TO BANKHEAD TUNNEL (PROJECT #STMB-0016; CPMS #100066702). The following resolution was introduced by Councilmember Daves.

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RESOLUTION: 01-712-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

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

Intersection improvements-congestion management process-SR-16 (US 90) from Broad Street to Bankhead Tunnel; Project # STPMB-0016(); CPMS # 100066702;

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 City 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 Council named therein, at a regular meeting of such Council held on the 9th day of October, 2018 and that such 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 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 CONTRACT WITH HUTCHINSON, MOORE & RAUCH, LLC, FOR LANGAN PARK-DRAINAGE REPAIRS-PLAYGROUND AREA, \$13,900.00 (2018 CIP #2017-470; D7; #C0065; PR066-18). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-713-2018

Sponsored by: Councilmember Gregory 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: Hutchinson, Moore & Rauch, LLC

Project name: Langan Park - Drainage Repairs - Playground Area

Project number: PR-066-18

Amount: \$13,900.00 (2018 CIP#2017-470, D7)

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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.

AUTHORIZE CONTRACT WITH JAMES B. DONAGHEY, INC. FOR MOORER BRANCH PUBLIC LIBRARY HVAC REPLACEMENT, \$141,630.00 (MP-127-18: 0335; 20002000-48010). The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 16, 2018.

RESOLUTION: 21-714-2018

Sponsored by: Councilmember Gregory 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: JAMES.B DONAGHEY INC

Project name: MOORER BRANCH PUBLIC LIBRARY

Project number: HVAC REPLACEMENT
MP-127-18

Amount: \$141,630.00

AUTHORIZE CONTRACT WITH GREAT SOUTHERN RECREATION, LLC FOR HILLSDALE PARK-PLAYGROUND SHADE STRUCTURE, \$49,230.00 (2018 CIP #2017-470; PR-076-18). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-715-2018

Sponsored by: Councilmember Gregory 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: Great Southern Recreation, LLC

Project name: Hillsdale Park - Playground Shade Structure

Project number: PR-076-18

Amount: \$49,230.00 (2018 CIP# 2017-470)

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:

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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 S. C. STAGNER CONTRACTING, INC. FOR HELEN WOOD PARK-PAVILION (\$51,000.00) (PR-067-17) AND BOARDWALK RECONSTRUCTION (\$121,500.00) (PR-017-18), \$172,500.00 TOTAL (2017 CIP #231).
The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 16, 2018.

RESOLUTION: 21-716-2018

Sponsored by: Councilmember Small 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: S. C. Stagner Contracting, Inc.

Project name: Helen Wood Park - Pavilion (PR-067-17) &
Boardwalk Reconstruction (PR-017-18)

Amount: \$172,500.00 (\$51,000.00 for Pavilion)
(\$121,500.00 for Boardwalk Reconstruction)
(2017 CIP #231)

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

Councilmember Richardson moved for the suspension of the rules to consider Resolution 13-719 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 item.

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT WITH REPUBLIC PARKING SYSTEM TO PROVIDE MANAGEMENT SERVICES FOR ON STREET PARKING IN DOWNTOWN MOBILE, \$77,976.00 (PLUS EXPENSES AND MINUS REVENUES). The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 16, 2018.

RESOLUTION: 01-717-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Management Services Agreement, by and between the City of Mobile and REPUBLIC PARKING SYSTEM, LLC, in the amount of approximately \$77,976 plus expenses and incentive fees, for operation and

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management of on street and other City-controlled parking downtown, 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.

AUTHORIZE CHANGE ORDER NO. FOUR (4) TO THE CONTRACT WITH SIMPLEXGRINNELL FOR CITY OF MOBILE CRUISE TERMINAL IMPROVEMENTS-SECURITY UPGRADES, \$100,610.00 INCREASE (CT-017-16). The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 16, 2018.

RESOLUTION: 13-718-2018

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, Change Order No. four (4) to the Contract with SimplexGrinnell, whereby the sum of 100,610.00, is added to the original contract amount. A copy of said change order is on file in the office of the City Clerk.

Project name: City of Mobile Cruise Terminal
Improvements-Security Upgrades

Project number: CT-017-16

AUTHORIZE CHANGE ORDER NO. ONE (1) WITH C. SHARPE COMPANY, LLC FOR 200 GOVERNMENT STREET BUILDING-EXTERIOR WALL REPAIRS, ADD \$184,963.00 (CONTRACT NO. 1695; MX-240-17). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 13-719-2018

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, Change Order No. One (1) to the Contract with C-Sharpe Company, LLC whereby the sum of \$184,963.00 is added to the original contract amount. A copy of said change order is on file in the office of the City Clerk.

Project name: 200 Government Street Building Exterior Wall Repairs
200 Government Street, Mobile, Alabama 36602
Contract no. 1695

Project number: MX-240-17

The resolution was read by the City Clerk; whereupon Councilmember Richardson 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 CONTRACT WITH TAYLOR POWER SYSTEMS, INC. FOR EMERGENCY GENERATOR PREVENTATIVE MAINTENANCE AND INSPECTIONS- VARIOUS MOBILE FIRE DEPARTMENT LOCATIONS, \$25,905.00 (3-YEAR

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CONTRACT) (SC-042-18; 61206120-42140). The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 16, 2018.

RESOLUTION: 21-720-2018

Sponsored by: Mayor Stimpson

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

Name of company: Taylor Power Systems, Inc.

Project name: Emergency Generator Preventative
Maintenance & Inspections
Various Mobile Fire Department Locations

Project number: SC-042-18

Amount: \$8,635.00 1st Year Cost
\$8,635.00 2nd Year Cost
\$8,635.00 3rd Year Cost
\$25,905.00 3 Year Contract

AUTHORIZE CONTRACT WITH DIVERSIFIED MAINTENANCE RWS, LLC FOR JANITORIAL CLEANING SERVICES-GULFQUEST MARITIME MUSEUM, \$58,276.00 (SC-041-18; 10044020-41240). The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 16, 2018.

RESOLUTION: 21-721-2018

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: Diversified Maintenance RWS, LLC

Project name: Janitorial Cleaning Services
GulfQuest Maritime Museum

Project number: SC-041-18

Amount: \$58,276.00

AUTHORIZE THE MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE U. S. DEPARTMENT OF JUSTICE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES (OCDEF) PROGRAM, \$4,000.00 (NO LOCAL MATCH). The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 16, 2018.

RESOLUTION: 31-722-2018

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 U.S. Department of Justice, a Notice of Award and Memorandum of Agreement for grant assistance in the approximate amount of \$4,000.00 for the Organized Crime Drug Enforcement Task Forces (OCDEF) Program.

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 U.S. Department of Justice and any other federal agency.

AUTHORIZE THE MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FOR THREE MILE CREEK: SECTION 6 NORTH PROJECT, THROUGH THE ALABAMA DEPARTMENT OF TRANSPORTATION (ALDOT), \$555,092.00 (\$138,773.00 LOCAL MATCH). The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 16, 2018.

RESOLUTION: 31-723-2018

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 grant agreement between the City of Mobile and the Alabama Department of Transportation, for the Transportation Alternatives Program (TAP) for Three Mile Creek: Section 6 North Project. The City of Mobile will contribute \$138,773.00. A copy of said executed agreement will remain on file in the office of the City Clerk.

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO APPROVE THE APPLICATION OF CURTIS W. CARKUM D/B/A A & C NET, LLP, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 41-724-2018

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

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

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Curtis W. Carkum, III d/b/a A & C Net, LLP, for a Certificate of Public Convenience and Necessity to operate a shuttle service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza located at 205 Government Street, Mobile, Alabama, on Tuesday, the 23rd day of October, 2018, at 10:30 a.m. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

Councilmember Rich 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

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Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as October 23, 2018.

CALL FOR PUBLIC HEARING TO APPROVE THE APPLICATION OF MICHAEL DORIE D/B/A WILD NATIVE, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A BOAT CHARTER SERVICE. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 41-725-2018

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

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

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Michael Doric d/b/a Wild Native, Inc. for a Certificate of Public Convenience and Necessity to operate a boat charter service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza located at 205 Government Street, Mobile, Alabama, on Tuesday, the 23rd day of October, 2018, at 10:30 a.m. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

Councilmember Rich 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 October 23, 2018.

CALL FOR PUBLIC HEARING TO REZONE PROPERTY AT 3262 OLD CARLINE STREET (NORTHEAST CORNER OF OLD CARLINE STREET AND FURR STREET) FROM R-1 AND B-1 TO B-3 (DISTRICT 1). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 41-726-2018

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

NOTICE OF HEARING ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

Notice is hereby given that the City Council of Mobile proposes to consider the adoption of the attached amendment to the Ordinance adopted on the 16th day of May, 1967, and known as the "Zoning Ordinance." The adoption of such amendment will be considered by the City Council of Mobile in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama, on the 6th day of November, 2018, at 10:30 a.m.

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At such time and place all persons who desire shall have an opportunity to be heard in opposition to, or in favor of the amendment. Furthermore, the City Council, at this public hearing, may consider zoning classification ns other than that sought by the applicant for this property.

This notice is published pursuant to a resolution of the City Council of Mobile adopted on the 9th day of October, 2018.

Councilmember Rich 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 6, 2018.

CALL FOR PUBLIC HEARING TO REZONE PROPERTY AT 3703 OLD SHELL ROAD (SOUTHWEST CORNER OF OLD SHELL ROAD AND WACKER LANE) FROM R-1 TO LB-2 (DISTRICT 7). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 41-727-2018

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

NOTICE OF HEARING ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

Notice is hereby given that the City Council of Mobile proposes to consider the adoption of the attached amendment to the Ordinance adopted on the 16th day of May, 1967, and known as the "Zoning Ordinance." The adoption of such amendment will be considered by the City Council of Mobile in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama, on the 6th day of November, 2018, at 10:30 a.m. At such time and place all persons who desire shall have an opportunity to be heard in opposition to, or in favor of the amendment. Furthermore, the City Council, at this public hearing, may consider zoning classification ns other than that sought by the applicant for this property.

This notice is published pursuant to a resolution of the City Council of Mobile adopted on the 9th day of October, 2018.

Councilmember Rich 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 9, 2018.

ANNOUNCEMENTS:

Councilmember Rich noted that the Public Services Committee has a meeting set tentatively for Monday, October 22, 2018 at 9:00 a.m.

Councilmember Daves stated a district five community meeting will be held on Tuesday, October 23, 2018, at 6:00 p.m., at Westminster Presbyterian Church.

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Councilmember Richardson invited the public to attend a job fair tonight at the Dumas Wesley Community Center.

Councilmember Richardson announced that a meeting to discuss park amenities will be held on Thursday, October 25, 2018, at 6:00 p.m., at Booker T. Washington Elementary School.

Councilmember Small remarked that the City contingent's trip to France last week was a good opportunity to look at the future of aerospace in Mobile.

Councilmember Small stated that he will attend several community action group meetings tonight.

Councilmember Manzie announced a series of community meetings that will be held throughout the remainder of this year.

Councilmember Williams indicated that this morning he attended the opening of the Montlimar Canal Trail with Mayor Stimpson.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:29 p.m.

Approved: October 16, 2018

COUNCIL VICE PRESIDENT

CITY CLERK