MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 8, 2019

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, October 8, 2019, at 9:00 a.m.

Present:

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

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m.

Approved: October 15, 2019

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 8, 2019

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, October 8, 2019, at 10:30 a.m., in regular meeting.

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

Pastor Rhonda Toney, RT 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 provided an overview of the City Council rules of procedure.

APPROVAL OF MINUTES:

The minutes of the meeting of October 1, 2019 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson read a proclamation declaring October 8, 2019 as "Real Men Wear Pink Day" in Mobile.

ADOPTION OF THE AGENDA:

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

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

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

APPEALS:

The Council considered the appeal of Jim H. Fernandez on behalf of Gaylord Lyon, et al, concerning the Planning Commission's approval to allow a 150' monopole tower with a 10' lightning rod on top of 3168 Midtown Park South (District 1).

Councilmember Manzie stated:

"In order that this matter may be handled expeditiously, the order of business will be as follows:

The Council will vote on Mr. Fernandez' Motion to Stay.

If the decision is to proceed with the hearing today, it will proceed as follows:

- Mr. Fernandez presents / calls witnesses.
- The Council will be given an opportunity to ask questions.

- Mr. Rodenstreich presents / calls witnesses.
- The Council will be given an opportunity to ask questions.

Our decision will be based on the record evidence that has been filed with the City Clerk and the testimony presented here today. The parties will not be restricted to the normal Council rules; however, the Council expects that all of you will cooperate in presenting as clearly and as quickly as possible any testimony that may be directly related to the issues involved so that this Council may determine whether the appeal is or is not well taken. I will ensure that the proceedings are orderly.

Although the proceedings before this Council is not a trial, every effort will be made to confine the hearing to the issues directly involved. The Board will expect to rely on its attorney for any assistance to it in the interrogation of witnesses and in any rulings that the Council may be required to make on the admission or rejection of evidence.

Do I have a motion to suspend the rules to allow the conduct of the hearing as I just outlined?"

Councilmember Daves moved to suspend the rules to allow the conduct of the hearing as outlined by the Presiding Officer, which move was seconded by Councilmember Rich and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted to proceed as outlined by the Presiding Officer.

Council Vice-President Manzie stated: "The first order of business is the Motion to Stay. Mr. Fernandez, you may address the council, then Mr. Rodenstreich may respond."

Mr. Fernandez stated: "We are ready to go forward. We waive our motion."

Council Vice-President Manzie stated: "Motion withdrawn."

Mr. Fernandez called the following witnesses to speak in support of the appeal:

1. Gaylord Lyon, 3212 Midtown Park South

2. Marl Cummings, 1 Houston Street

3. Matt Cummings, 1 Houston Street

Jim Fernandez, 28 N. Florida Street, provided an overview of the appeal and case law to support the appeal.

Andy Rodenstreich, 420 20th Street, Birmingham, Alabama, presented an overview of opposition to the appeal.

Jim Fernandez offered rebuttal remarks relative to the appeal.

Council Vice President Manzie stated:

"The hearing is closed and the matter will be taken under further submission. The Council will vote and render a written decision at its meeting on October 15, 2019. The parties are invited to submit proposed findings. The deadline for submitting proposed findings is Thursday, October 10, 2019 by 2:00 p.m. All submissions shall be made to the City Clerk."

The Council considered the request of Doris Bettis, Blood Covenant Evangelistic Church, for a waiver of the Noise Ordinance at 1119 Summerville Street on November 2, 2019 from 10:00 a.m. until 3:00 p.m. (District 1).

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

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

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

PUBLIC HEARINGS:

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 2211 BARRETTS LANE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 2211 Barretts Lane 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 ordinance authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 352 STANTON ROAD A PUBLIC NUISANCE AND ORDER IT PARTIALLY SECURED/DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 352 Stanton Road a public nuisance and order it partially secured/demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1162 BRUSSELLS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1162 Brussells Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Irene Antone, 2202 Clinton Street, spoke about CIP Resolutions 21-901.

2. Connie Hudson, Mobile County Commissioner, District 2, requested the Council include an amendment to the proposed City budget to include appropriations for the Mobile County Soccer Complex.

3. Wayne Etheridge, 315 Gaines Avenue, spoke in support of Commissioner Hudson's request for an amendment to the proposed budget to provide funds for the Mobile County Soccer Complex.

4. Ann Davis, 967 Westbury Drive, represented the Ladd-Peebles Stadium Board in thanking the Council for their support and requested additional funds in the proposed City budget.

5. Suzanne Schwartz, 360 McDonald Avenue, reiterated the sentiments of Ann Davis.

NON-AGENDA ITEMS:

1. L. G. Gaines, 1213 Hannon Road, requested guidance to handle issues with the rental house next door to her residence.

2. Reggie Hill, 1007 Center Street, offered commentary regarding public safety and the proposed City budget.

3. Jim Flowers, 922 Conti Street, voiced his complaints regarding noise levels at 911 Dauphin Street.

4. Amy Raley Ryan, 8550 Tiffany Drive, Irvington, Alabama, introduced Dr. Mary Elizabeth Harper as Gulfquest's new Director and provided information for upcoming events.

ORDINANCES HELD OVER:

REZONE PROPERTY LOCATED AT 2754 DAUPHIN STREET (NORTH SIDE OF DAUPHIN STREET, 535' WEST OF MOBILE STREET) FROM B-1 TO B-2 (DISTRICT 1). The following ordinance, which was introduced and read at the regular meeting of Tuesday, October 1, 2019 and held over for one (1) week until the regular meeting of October 8, 2019, was called up by the Presiding Officer.

ORDINANCE: 64-036-2019

Sponsored by: Councilmember Richardson

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 OMIINANCE.

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:

BEGINNING AT A POINT OF THE NORTH LINE OF DAUPHIN STREET A DISTANCE OF 61 FEET WESTWARDLY FROM THE POINT WHERE SAID NORTH LINE INTERSECTS THE WEST LINE OF THE MURRELL TRACT; WHICH POINT IS THE SOUTHWEST LINE OF MURRELL TRACT; WHICH POINT IS THE SOUTHWEST CORNER OF PROPERTY CHAMBLIN FORMERLY OF STAFFORD; THENCE PROCEEDING NORTHWARDLY ALONG THE WEST LINE CHAMBLIN PROPERTY A. DISTANCE OF 150 FEET TO A POINT, THENCE WESTWARDLY AND PARALLEL TO DAUPHIN STREET A DISTANCE OF 75 FEET TO A POINT, THENCE SOUTHWARDLY AND PARALLEL WITH SAID WEST LINE OF THE CHAMBLIN PROPERTY A DISTANCE OF 150 FEET MORE-OR LESS TO THE NORTH LINE OF DAUPHIN STREET, THENCE EASTWARDLY ALONG SAID NORTH LINE OF DAUPHIN STREET, A DISTANCE OF 75 FEET MORE OR LESS TO THE POINT OF BEGINNING.

The classification of said property is hereby changed from B-1, Buffer Business District, to B-2, Neighborhood Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and .to use said premises for any use permitted by the terms of said Ordinance in a B-2, Neighborhood Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-2, Neighborhood Business District, until all of the conditions set forth below have been complied with: 1) provision of compliant parking, which may be provided via an approved Special Parking Plan or Planned Unit Development; 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.

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

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

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

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. 64-036 Series 2019 was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on, October 16, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand on this 8th day of October, 2019.

Lisa C Lambert
City Clerk

ORDINANCE DEEMING PROPERTY AT 1 N. BROAD STREET NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE TO THE HISTORIC RESTORATION SOCIETY. The following ordinance, which was introduced and read at the regular meeting of Tuesday, October 1, 2019 and held over for one (1) week until the regular meeting of October 8, 2019, was called up by the Presiding Officer.

ORDINANCE: 88-037-2019

Sponsored by: Councilmember Manzie 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 real property hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold to Historic Restoration Society, Inc.

SEE ATTACHED EXHIBIT 'A'

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

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

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

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

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

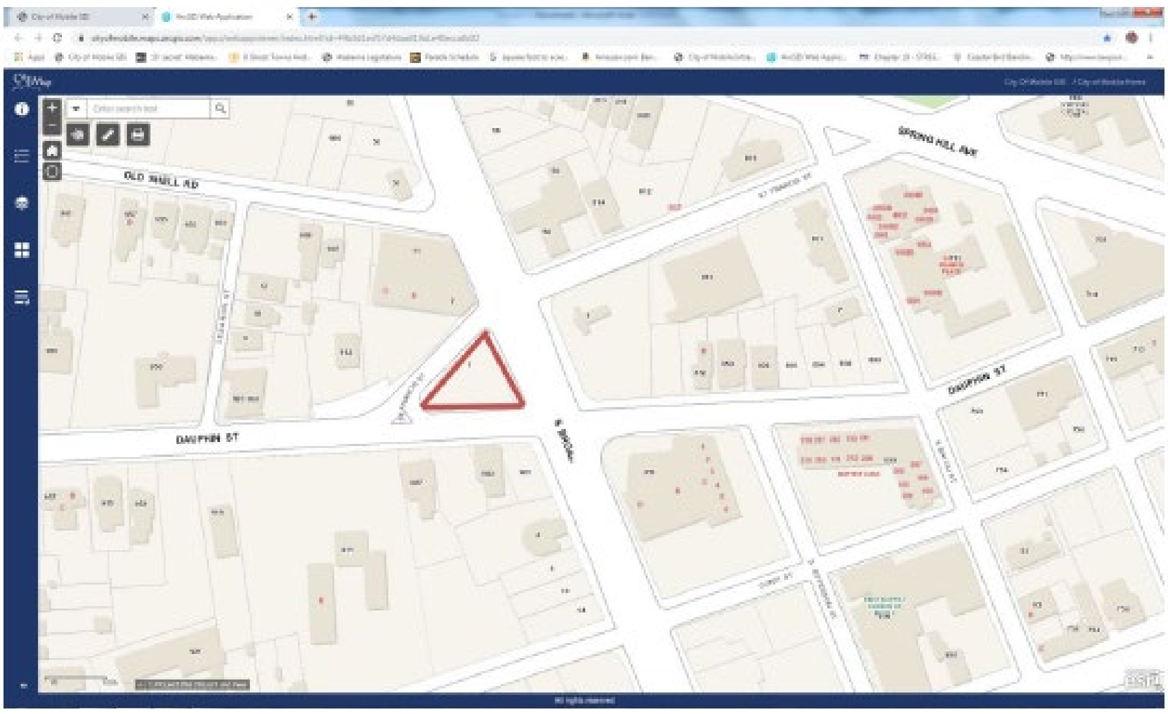
SECTION SEVEN: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

EXHIBIT A

Real Property Location: 1 North Broad Street

Legal Description:

BEG AT THE NW COR OF BROAD STREET & DAUPHIN STREET RUN TH N 18 DEG 55 MIN 30 SEC W & ALG THE W/L OF BROAD ST 112.70 FT TO A PT TH S 70 DEG 34 MIN 30 SEC W & ALG THE S/L OF ST FRANCIS ST EXTENSION 31.72 FT TO THE P.C. OF A 100.00 FT RADIUS CUR TO THE LEFT THE SWLY & ALG THE ARC OF SAID CUR 67.67 FT TO THE P.T. THERE OF TH S 31 DEG 50 MIN 04 SEC W 63.20 FT TO A PT TH S 89 DEG 38 MIN 02 SEC E & ALG THE N/L OF DAUPHIN ST 151.70 FT TO THE POB



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

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

CIP RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH CORPORATE ENVIRONMENTAL RISK MANAGEMENT, LLC FOR HILLSDALE DRAINAGE AND ROADWAY IMPROVEMENTS, $65,500.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 1, 2019 and held over for one (1) week until the regular meeting of October 8, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-901-2019

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 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: Corporate Environmental Risk Management, LLC

Project name: Hillsdale Drainage and Roadway Improvements; District 7 COM Project No. 2019-3005-16

Estimated cost: $65,500.00

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

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

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

RESOLUTIONS HELD OVER:

ADOPT THE 2019-2020 FISCAL YEAR BUDGET FOR THE CITY OF MOBILE. The following resolution, which was introduced and read at the regular meeting of Tuesday, September 10, 2019 and held over until the regular meetings of September 17, 2019 and October 8, 2019, was called up by the Presiding Officer.

RESOLUTION: 09-842-2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, THAT THE 2019-2020 General Fund and Capital Improvements Fund budgets be adopted.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Williams.

Councilmember Rich then moved to table the resolution until the regular meeting of October 30, 2019, which move was seconded by Councilmember Small. Following discussion amongst the Council the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution tabled until October 30, 2019.

AUTHORIZE AMENDED AND RESTATED AGREEMENT WITH MAWSS FOR MEDAL OF HONOR PARK. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 1, 2019 and held over for one (1) week until the regular meeting of October 8, 2019, was called up by the Presiding Officer.

RESOLUTION: 01-902-2019

Sponsored by: Councilmember Rich and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE. ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement, by and between the City of Mobile and the Board of Water and Sewer Commissioners of the City of Mobile, in connection with improvements at Medal of Honor Park, as outlined in the documents attached hereto and made a part hereof as though set forth in full. A copy of said Lease Agreement is on file in the office of the City Clerk.

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

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

Nays: None

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

AUTHORIZE CONTRACT WITH KITCHENS ELECTRIC COMPANY, INC. FOR INSTALLATION OF A LIGHTNING PROTECTION SYSTEM AT FIRE STATION #28, $10,400.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 1, 2019 and held over for one (1) week until the regular meeting of October 8, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-903-2019

Sponsored by: Councilmember Williams and Mayor Stimpson

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

Name of company: Kitchens Electric Company, Inc.

Project name: Fire Station #28 - Lightning Protection

Project number: FD-067-19

Amount: $10,400.00

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

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

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

AUTHORIZE CONTRACT WITH BEN M. RADCLIFF CONTRACTOR, INC. FOR CONSTRUCTION OF A NEW SPRING HILL FIRE STATION, $2,526,935.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 1, 2019 and held over for one (1) week until the regular meeting of October 8, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-904-2019

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: Ben M. Radcliff Contractor, Inc.

Project name: Spring Hill Fire Station

Project number: FD-035-18

Amount: $2,526,935.00

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

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

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

AUTHORIZE CONTRACT WITH POPE TESTING SERVICES, LLC FOR 2018 PAYGO – N. MCGREGOR AVE. RECONSTRUCTION FROM OLD SHELL ROAD TO SPRINGHILL AVE., PROJECT #2019-3005-19, $22,000.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 1, 2019 and held over for one (1) week until the regular meeting of October 8, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-905-2019

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 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 PAYGO - N. McGregor Ave. Reconstruction
From Old Shell Road to Springhill Ave., District 7
COM project no. 2019-3005-19

Estimated cost: $22,000.00

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

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

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

AUTHORIZE CONTRACT WITH RGLG, D/B/A SERVICEMASTER SERVICE, FOR ENVIRONMENTAL REMEDIATION AT THE SAENGER THEATER, $734,000.00; SC-044-19 (C0467, 20002000-42200). The following resolution, which was introduced and read at the regular meeting of Tuesday, October 1, 2019 and held over for one (1) week until the regular meeting of October 8, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-906-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE. AIT^BAMA, 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:	RGLG INC. D/B/A SERVICEMASTER SERVICE
Project name:	SAENGER THEATER ENVIRONMENTAL REMEDIATION
Project number:	SR-044-19
Amount:	$734,000.00

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

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

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

ORDINANCES BEING INTRODUCED:

ORDINANCE TO AMEND AND RESTATE CHAPTER 14, SECTIONS 14-3, 14-7 AND 14-8 OF THE MOBILE CITY CODE TO AUTHORIZE SETTLEMENT OF CERTAIN WORKERS' COMPENSATION CLAIMS AND TO PROVIDE FOR ADDITIONAL REGULATIONS FOR CERTAIN PURCHASES. The following ordinance was held over for one (1) week until the regular meeting of Tuesday, October 15, 2019.

AN ORDINANCE TO AMEND AND RESTATE CHAPTER 14, SECTIONS 14-3, 14-7 AND 14-8 OF THE MOBILE CITY CODE, 1991 TO AUTHORIZE THE SETTLEMENT OF CERTAIN WORKERS' COMPENSATION CLAIMS AND TO PROVIDE FOR ADDITIONAL REGULATIONS FOR CERTAIN PURCHASES

Be it Ordained by the City Council of the City of Mobile, Alabama that Sections 14-3 (c), 14-7 and 14-8 are hereby amended as restated as follows:

Sec. 14-3. - Contract procedures.

(c) Settlements. No payment shall be made to settle, adjust, or compromise any litigation, claim, debt, account, dispute, demand for or against the City, unless the agreement is first reduced to writing, presented to and approved by the council, except for (1) settlement of workers' compensation claims which have been approved by the mayor and the City attorney; and (2) settlements with a monetary value of less than five thousand dollars ($5,000.00) and which have been approved by the mayor and the City attorney. All settlements, in any amount, shall be promptly filed with the city clerk.

Sec. 14-7. - Contracts implementing major programs.

Contracts which implement major programs for the city should come before the council for the purpose of full disclosure. This includes but is not limited to contracts which exceed fifteen thousand dollars ($15,000.00) for construction, consultants, training, lease purchases, privatized services, and other contracts for services.

Sec. 14-8. - Contracts for routine purchases.

For the purposes of this chapter, a contract shall be deemed for routine purchases if the total amount of the contract is less than fifteen thousand dollars ($15,000.00). Pursuant to Code of Ala., § 11-44C-72, the purchasing agent may execute contracts for routine purchases so long as it is pursuant to a written requisition from the head of the office, department or agency whose appropriation will be charged; and no contract or order shall be issued to any vendor unless and until the director of finance certifies that there is a sufficient unencumbered appropriation balance to pay for the supplies, materials, equipment or contractual service for which the contract or order is to be issued.

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 08-909 – 37-929, 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:

APPROVE BIDS AND PURCHASE ORDERS FOR THE WEEK OF SEPTEMBER 17, 2019. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 08-909-2019

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
11	2020	(1530) POLICE ADMIN SERVICES	SWAB WAGON ARF-95 ANIMAL CONTROL TRANSPORT BODY INSTALLED ON FORD F-250 CHASSIS (SEALED BID 5274)	$31,921.00	(208560) TRUCK EQUIPMENT SALES INC (ONLY BIDDER)
15880	2019	(2050) EQUIPMENT SERVICES	2 PRESSURE PRO HN3000 PSI HOT WATER NATURAL GAS PRESSURE WASHERS, INSTALLED (SEALED BID 5333)	$13,378.54	(167122) PRESSURE PRODUCTS INC
14817	2019	(1510 FIRE ADMINISTRATION)	SINGLE TOTE FIREFIGHTING FOAM TRAILER W/HOSE BIN AND EDUCTOR (SEALED BID 5314)	$26,942.00	(14920) NORTH AMERICAN FIRE EQUIPMENT CO INC
14815	2019	(1530) POLICE ADMIN SERVICES	CRIME -LITE 42S UV/IR/VIS SEARCH KIT WITH CASE, VIEWING GOGGLES, CAMERA LENSE FILTERS (SEALED BID 5339)	$16,134.17	(288078) FOSTER & FREEMAN USA INC

14733	2019	(F6130) AZALEA CITY GOLF COURSE	IRRIGATION PARTS – 30 VALVES BOXES, 168 SWING JOINTS, 400 SPLICE TUBES, 6 2500 FT SPOOLS OF COMMS WIRE, 3 2500FT SPOOLS OF COMMS CABLE (SEALED BID 5336)	$13,777.97	(294162) FLORIDA IRRIGATION SUPPLY INC
14725	2019	(F6130) AZALEA CITY GOLF COURSE	IRRIGATION IMPROVEMENTS – 168 RAIN BIRD EAGLE 950 SPRINKLERS, 1 RAINBIRD INTEGRATED CONTROL INTERFACE, 30 RAINBIRD INTEGRATED CONTROL SURGE DEVICES, 1 RAIN BIRD GROUND PLATE ASSEMBLY, 1 RAIN BIRD MAXI SURGE PIPE (SEALED BID 5336)	$47,311.09	(294162) FLORIDA IRRIGATION SUPPLY INC
14380	2019	(3500) NIEGHBORHOOD DEVELOPMENT	1 2020 CHEVROLET EQUINOX WITH SERVICE PLAN (SEALED BID 5335)	$22,919.00	(295747) GMGC LLC
11335	2019	(1510) FIRE ADMINISTRATION	10 GIANT TALON 29:2IN RED BICYCLES (SEALED BID 5331)	$12,979.60	CADENCE 120 BICYCLE WORKS INC

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

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

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

AUTHORIZE A GRANT APPLICATION TO STATE FARM FOR THE GOOD NEIGHBOR CITIZENSHIP COMPANY GRANT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-910-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor Is authorized to apply, accept and receive from State Farm, a Notice of Award for grant assistance in the approximate amount of $50,000.00 for the Good Neighbor Citizenship Company Grant.

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 State Farm. The Memorandum of Agreement for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

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

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

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

AUTHORIZE A GRANT AGREEMENT WITH THE SOUTHWEST ALABAMA REGIONAL HIGHWAY SAFETY OFFICE, COMMUNITY TRAFFIC SAFETY PROGRAM (CTSP). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-911-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to enter into an agreement for grant participation with the Southwest Alabama Regional Highway Safety Office, Community Traffic Safety Program (CTSP).

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept any grant funds if offered and to sign any agreements or other documents in connection with CTSP Grant Participation and. to provide any information required by the Southwest Alabama Regional Highway Safety Office.

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

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

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

DECLARE THE STRUCTURE AT 2211 BARRETTS LANE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-912-2019

Sponsored by: Councilmember Richardson

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 2211 BARRETTS LANE has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 2211 BARRETTS LANE as:

LOT 4 OF A SUB OF LOT 2 SUT TON TRT DBK 221 NS P 139 #SEC 44 T4S RIW #IV1P29 02 44 0 024

Parcel number: 29 02 44 0 024 233

Last assessed to: Harry T. Mosley

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

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

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

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

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

DECLARE THE STRUCTURE AT 352 STANTON ROAD A PUBLIC NUISANCE AND ORDER IT PARTIALLY SECURED/DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-913-2019

Sponsored by: Councilmember Richardson

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 352 Stanton Road has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 352 Stanton Road as:

ALL THAT PT OF LOT 32 IN DIV 1 REC IN MISC BOOK B P 175 DESC AS POLL BEG AT TH NE INT OF STANTON RD & PLEASANT AVE THE ALG TH N RWL OF PLEASANT AVE A DIS OF 155.7 FT TO PT TH WITH DEFL ANG TO LT OF 90 DEG 7 MIN RUN N A DIS OF 188.5 FT TO A PT TH WITH DEFL ANG TO THE LT OF 91 DEG 19 MIN RUN W A DIS OF 4.7 FT TO A PT TH RUN N A DIS OF 34 FT M/L TO A PT WHICH PT IS THE SE COR OF THE PPTY CONVEYED BY ROBERT F ADAMS TO ROCHE UNDERTAKING CO INC REC RPBK 20/241 SUBSEQUENTLY CONVEY TO STANDARD OIL CO (INCORP IN KENTUCKY) TH WITH A DEFL ANG OF 90 DEG 34 MIN TO THE LT RUN W ON THE S/L OF PPTY SO CONVEYED TO ROCHE UNDERTAKING CO INC A DIS OF 146.7 FT ON EA ROWL OF STANTON RD RUN TH S ALG THE E LINE OF STANTON RD A DIS OF 222.5 FT TO THE POB #SEC 42 T4S RIW #MP29 07 42 0 004

Parcel number: 29 07 42 0 004 264

Last assessed to: BURROWES LEE ANDER & STEPHANIE BURROWES

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 partially demolished/secured in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

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

The resolution was read by the City Clerk; whereupon Councilmember Richardson moved that the resolution be held over until the regular meeting of Tuesday, November 12, 2019 which was seconded by Councilmember Small. Following comments from Councilmember Richardson the vote was as follows:

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

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

DECLARE THE STRUCTURE AT 1162 BRUSSELLS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-914-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52. Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 1162 Brussells Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1162 Brussells Street as:

PART OF LOTS 8 & 9 BLK 15 TOULMIN TRT DBK 112 PG 175 BEG 56 FT N OF SE COR LOT 8 TH N 35 FT TH W 112 FT TH S 35 FT TH E 112 FT TO POB #SEC 28 T4S RIW #IVIP2910 28 4 002

Parcel number: 29 10 28 4 002 054

Last assessed to: MOSLEY TYRONE

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

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

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

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

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

DECLARE WEEDS NOXIOUS, WEED LIEN GROUP #1600. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-915-2019

A RESOLUTION DECURING 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 #1600 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 12th day of November, 2016, 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.

	WEED LIEN					
	1600				Res. No.	
10/8/2019	LOTS TO BE DECLARED				58-	
11/12/2019	LOTS FOR PUBLIC HEARING				58-	
//2019	LOTS TO BE ASSESSED FOR COST				58-	
				Amount	Dis	N/A
No.	Address	SRO No.	CASE #	Assessed		CBO
1	1569 Greenlawn Dr	932221	1590		4	
2	955 Savannah St	932549	1591		2	
3	2519 Greenlawn Dr	932225	1592		4	
4	0 Stone St	940279	1593		2	
	Parcel No. (29 02 44 0 030 050.001)					
5	4321 Downtowner Loop N	934306	1594		5	
6	570 Reynolds Ave	937562	1595		1	
7	2905 Pages Ln	941187	1596		1	
8	616 Euclid Ave	935512	1597		5	
9	1017 Wellington St (VL)	941180	1598		1	
10	1416 Chisam Ave F/k/a 1413 Chinquepin St	939955	1599		1	
11	3710 Bay Front Rd	935413	1600		3	
12	1401 Center St	939111	1601		2	
13	614 Cedar Ave	924699	1602		2	
14	1327 Creekway Dr	941183	1603		3	
15	1017 Donald St	943296	1604		1	
16	805 Dr Thomas Ave	944313	1605		2	
17	0 Peach St F/k/a 1921 Pecan St	944112	1606		2	
	Parcel No. (29 06 13 0 003 226.XXX)					
18	1800 Dover St	929480	1607		7	
19	504 Heritage Dr E	940249	1608		5	
20	2320 Dauphin St	943725	1609		1	
21	2057 Butler St	942613	1610		1	
22	2157 Grove Ct	947211	1613		3	
23	512 Oak Drive Ct	942325	1660		2	

District total for this group		Numbers of lots cut	
1	7	1	
2	7	2	
3	3	3	
4	2	4	
5	3	5	
6	0	6	
7	1	7	
	23		0

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

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

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

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

AUTHORIZE REMOVAL OF WEEDS, GROUP #1598. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-916-2019

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

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

WHEREAS, Parcels Nos. 1 through 21 described in the resolution adopted on the 3rd day of September, 2019, have not been cleared of noxious and dangerous weeds and continue to be public nuisances.

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

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

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

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

(Lot Cleaning Liens, Group No.1598 on file in the office of the City Clerk).

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

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

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

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

ASSESS COST FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP #32. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-917-2019

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

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

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

Section 1. The amount set opposite each described parcel of real property contained in exhibit A, a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as Repeat Weed Lien Group #32 shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report, made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

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

	REPEAT WEED LIEN							
	GROUP 32						Res. No.	
6/28/2019	1st REPEAT WEED LIEN LETTERS SENT						11-058	
10/8/2019	REPEAT WEED LIEN LOTS TO BE ASSESSED FOR COST							
Item No.		Dis	SRO Repeat	Case	Initial Nuisance	Times cut within	Amount Assessed	CBD CBO
1	2730 F/k/a 2732 Josephine St	1	926489	1222	3/7/2017	1	$ 50.00	CBO
2	1106 Arlington St	3	924857	1223	10/30/2018	1	$ 289.00	
3	2665 McKinney St	1	924916	1224	2/14/2017	2	$ 396.00	
4	2915 F/k/a 2911 Dauphin Island Pkwy	4	924958	1225	10/9/2018	1	$ 320.91	
5	3061 Pleasant Valley Rd	4	929045	1226	11/13/2018	1	$ 318.04	
6	322 Lexington Ave	2	925309	1227	8/2/2017	1	$ 379.00	
7	324 Lexington Ave	2	925307	1228	8/22/2017	2	$ 440.00	
8	605 Congress St	2	926343	1229	9/6/2016	2	$ 403.00	
9	1917 Seale St	1	926867	1230	1/15/2019	1	$ 296.00	
10	2608 Fairway Dr	5	914517	1231	12/4/2018	1	$ 420.74	
11	716 Shannon St	5	919654	1232	6/20/2017	2	$ 436.58	
12	704 Pillians St	3	924130	1233	10/16/2018	3	$ 50.00	CBO
13	1155 Cottrell St	3	924124	1234	10/30/2018	1	$ 303.00	
14	2854 Josephine St	1	926765	1235	7/25/2017	2	$ 396.00	
15	1151 Cottrell St	3	924126	1236	10/30/2018	1	$ 289.00	
16	1153 Cottrell St	3	924125	1237	10/30/2018	1	$ 296.00	
17	254 Roper St	2	927737	1238	5/30/2017	1	$ 289.00	
18	0 Third Ave F/k/a 10376 County Service Rd Parcel No.(29 02 44 0 008 391.XXX)	1	925096	1239	7/11/2017	1	$ 50.00	CBO
19	2106 Gibson St	1	926413	1240	9/25/2018	1	$ 323.15	
20	2651 S Faure Dr	4	924757	1241	3/20/2018	4	$ 668.45	
21	1200 Arlington St	4	927878	1242	7/26/2016	3	$ 503.00	
	Total						$ 6,916.87	

District total for this group		Numbers of lots cut	
1	6	1	4
2	4	2	4
3	5	3	4
4	4	4	4
5	2	5	2
6	0	6	0
7	0	7	0
	21		18

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

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE FOR BRICK AND SPOON, 3662 AIRPORT BOULEVARD.
The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-929-2019

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: Restaurant Retail Liquor

Submitted by: Three Cracked Eggs, LLC

Location: Brick and Spoon
3662 Airport Boulevard #A1
Mobile, AL 36608

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution 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 21-918 and 21-919, 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 CONTRACT WITH NEEL-SCAHFFER, INC. FOR THE AIRPORT BOULEVARD CUT OFF/EAST I-65 SERVICE ROAD PROJECT, $26,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-918-2019

Sponsored by: Councilmember Daves and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, 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: Neel-Schaffer, Inc.

COM project name: Airport Boulevard Cut-Off/East 1-65 Service Road Project
2019-2060-05

Capital project no.: C0225

Contract amount: $26,000.00

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

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

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

ACCEPT ONE PERMANENT SIDEWALK EASEMENT AND TWO TEMPORARY CONSTRUCTION EASEMENTS NEEDED FOR TAPMB-TA16(947) SIDEWALK IMPROVEMENTS ON OLD SHELL ROAD FROM UNION AVENUE TO HYLAND AVENUE CIP PROJECT #2004. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 25-919-2019

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, AUBAMA, that the City hereby accepts the following Permanent Sidewalk Easement and two (2) Temporary Construction Easements as needed for TAPMB-TA16(947) Sidewalk Improvements on Old Shell Road from Union Avenue to Hyland Avenue:

1. Permanent Sidewalk Easement from Bernard Hogan and Carolyn A. Hogan

2. Temporary Construction Easement from PHX Investment Group, LLC

3. Temporary Construction Easement from Clifton Wayne Holifield

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

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

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

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE MANAGEMENT AGREEMENT WITH SMG TO MANAGE THE ARTHUR R. OUTLAW MOBILE CONVENTION CENTER, MOBILE CIVIC CENTER AND THE SAENGER THEATRE, $275,000.00 PLUS INCENTIVES. The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 15, 2019.

RESOLUTION: 01-920-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute, for and on behalf of the City of Mobile, a management agreement with SMG, a Pennsylvania general partnership, to manage the Arthur R. Outlaw Mobile Convention Center, the Mobile Civic Center, and the Saenger Theater, for an annual fee of $275,000 plus an incentive fee of 12.5% gross income in excess of $1 million, up to but not in excess of the management fee, for the Convention and Civic Centers, and for the Saenger Theater, 50% of the first $200,000 improvement in Net Operating Profit over the net operating loss benchmark and 25% of any improvement in Net Operating Profit more than $200,000, for a period of one year, renewable for additional one year periods, not to exceed a total term of six years, at the Mayor’s discretion without further approval required of Council, said terms and conditions more fully set out in the document attached hereto and made a part hereof. A copy is on file in the office of the City Clerk.

AUTHORIZE CONTRACT WITH DORTCH, FIGURES & SONS, INC. FOR ARTHUR R. OUTLAW CONVENTION CENTER – ROOF RE-COVERING, $954,560.00. The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 15, 2019.

RESOLUTION: 21-921-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: Dortch, Figures & Sons, Inc.

Project name: Arthur R. Outlaw Convention Center
Roof Re-Covering

Project number: CN-014-19

Amount: $954,560.00

AUTHORIZE CONTRACT WITH ARENA FIRE PROTECTION INC. FOR FIRE ALARM SYSTEMS INSPECTION AND TESTING – VARIOUS CITY FACILITIES, $55,920.00 PER YEAR. The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 15, 2019.

RESOLUTION: 21-922-2019

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: Arena Fire Protection Inc.

Project name: Fire Alarm Systems Inspections & Testing
Various City of Mobile Locations

Project number: SC-042-19

Amount: ($55,920.00 Yr. 1), Initial Term
($55,920.00 Yr. 2), 1st Additional Term
($55,920.00 Yr. 3), 2nd Additional Term
$167,760.00 Total Contract Amount

AUTHORIZE CONTRACT WITH ZACHARY DAVIS FOR SERVICES AS A CYBER-SPECIALIST APPRENTICE FOR THE MOBILE POLICE DEPARTMENT, $29,000.00 PER YEAR. The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 15, 2019.

RESOLUTION: 21-923-2019

Sponsored by: Mayor Stimpson

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

AUTHORIZE CONTRACT WITH SUSAN TESSIER FOR SERVICES AS A SENIOR CYBER-SPECIALIST FOR THE MOBILE POLICE DEPARTMENT, $49,500.00 PER YEAR. The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 15, 2019.

RESOLUTION: 21-924-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a professional services contract, by and between the City of Mobile and PATRICIA SUSAN TESSIER for services as a Senior Cyber-Specialist for the Mobile Police Department. A Copy of said contract is on file in the office of the City Clerk.

RESOLUTION TRANSFERRING THE CDBG PROPERTY AT 2121 GARMONS LANE TO AFFORDABLE HOMES GULF COAST II, LLC. The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 15, 2019.

RESOLUTION: 31-925-2019

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile previously acquired the Property at 2121 Garmons Lane from the Mobile Housing Board as part of the transfer of its assets during CDBG administrative restructuring; and

WHEREAS, the City, as CDBG administrator, is required to use the Property for an eligible activity or to release the property for an acceptable market rate purchase price with funds being placed in the local CDBG account; and

WHEREAS, the City has received an affordable housing proposal that includes the use of this Property to be owner-occupied by a low to moderate income household; and

WHEREAS, the City would place a mortgage on the property in the amount of the current tax valuation until such time that an eligible activity has been met; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the affordable housing development of this site constitutes a Public Purpose.

BE IT FURTHER RESOLVED that the Mayor, or his designee, is authorized to act on behalf of the City of Mobile to transfer the Property to Affordable Homes Gulf Coast II, LLC, and execute a deferred Mortgage that will be satisfied upon completion of the Public Purpose being undertaken on the referenced site.

APPROVE AGREEMENT AND PETITION FOR APPROVAL OF LUMP SUM SETTLEMENT-SCHLICHTING. The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 15, 2019.

RESOLUTION: 60-926-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Agreement and Petition for Approval of Lump Sum Settlement arising out of the on-the-job injury of Cort Schlichting suffered on June 18, 2018, requiring the City to pay $17,500.00, in return for a release of all of the Plaintiff s respective claims except future medical benefits, 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.

APPROVE COMPROMISE SETTLEMENT PETITION WITH TIMOTHY LADNIER. The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 15, 2019.

RESOLUTION: 60-927-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Compromise Settlement Petition arising out of the on-the-job injury of Timothy Ladnier, suffered on June 15, 2015, requiring the City to pay $175,000.00, in return for a release of all of the Plaintiff respective claims excluding future medical benefits, as outlined in the Compromise Settlement Petition attached hereto and made a part hereof as though set forth in full. A copy of said Compromise Settlement Petition is on file in the office of the City Clerk.

AUTHORIZE AGREEMENT AND PETITION FOR LUMP SUM SETTLEMENT-JOSHUA POUNDS. The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 15, 2019.

RESOLUTION: 60-928-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Agreement and Petition for Approval of Lump Sum Settlement arising out of the on the job injury of Joshua Pounds, suffered on October 29,2015, requiring the City to pay $10,500.00, in return for a release of all of the Plaintiffs respective claims excluding future medical benefits, 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.

ANNOUNCEMENTS:

Councilmember Small announced that the Mobile Airport Authority will host an open house at B. C. Rain High School tonight to present the master plan for moving the airport to Brookley Field.

Councilmember Williams expressed his condolences on the recent passing of Bruce Thompson.

Councilmember Daves stated that a district five community meeting will be held Tuesday, October 22, 2019, 6:00 p.m., at Westminster Presbyterian Church.

NOTE: At approximately 1:22 p.m. Councilmember Small excused himself from the meeting.

Councilmember Gregory thanked everyone involved with the public input session on the future of Langan Park last week.

Councilmember Gregory mentioned that she participated in the Snapshot of Hope and Think Pink Tea events over the weekend to commemorate Breast Cancer Awareness month.

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

Councilmember Rich encouraged the public to attend the “Nights of Light” fundraiser for the Connie Hudson Senior Center this Thursday.

Councilmember Rich offered comments in honor of Yom Kippur.

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

Ayes: Richardson, Manzie, 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 1:31 p.m.

Adopted: October 15, 2019

____
COUNCIL VICE PRESIDENT

____
CITY CLERK