

MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 4, 2022

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 4, 2022, at 9:00 a.m.

Councilmembers:

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

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

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 4, 2022

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, October 4, 2022, at 10:30 a.m., for the regular meeting.

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

Reverend Allan Eldridge, Regency Church of Christ, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

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

APPROVAL OF MINUTES:

The minutes for the meeting of September 27, 2022, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson recognized Christopher Arledge as a newly appointed Municipal Court Judge and Carvine Adams as the new presiding Judge of Municipal Court.

Mayor Stimpson thanked Penelope House for their support in the community.

Mayor Stimpson delivered a binder to the City Council and the media that contain 10 plans that have been completed since 2006 regarding Downtown Mobile and the Mobile Civic Center.

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Mayor Stimpson read a proclamation, declaring October 6, 2022, as “The Conde Charlotte Museum House Bicentennial” in Mobile.

Mayor Stimpson read a proclamation, declaring the month of October 2022, as American Pharmacy Month in Mobile.

PRESENTATIONS BY THE COUNCIL:

Councilmember Small read a resolution, commemorating Judge Holmes Whitton’s retirement from Municipal Court.

Councilmember Reynolds read a proclamation, declaring October 2022, as “Domestic Violence Awareness Month” in Mobile.

ADOPTION OF THE AGENDA:

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

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

Nays: None

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

APPEALS:

Request of McGill-Toolen Catholic High School for a waiver of the Noise Ordinance at Figures Park on October 19, 2022, from 1:00 p.m. – 6:30 p.m. (District 7).

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

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

Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 712, 716 AND 718 DAUPHIN ISLAND PARKWAY, FROM R-3 AND B-3 TO R-3 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 712, 716 and 718 Dauphin Island Parkway, from R-3 and B-3 to R-3 (District 2) and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

NON-AGENDA ITEMS:

Rachel Benning, Pinckard, Alabama, Women’s Foundation of Alabama provided information on the economic impact of women in Alabama.

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Thomas Holmes, 2117 Charingwood Drive West, seeking financial support for home and community services for individuals with intellectual and developmental disabilities.

AGENDA ITEMS:

Sylvia Reed, 1783 Princeton Woods Drive West, expressed her concerns regarding resolutions 08-875 and 21-878.

RESOLUTIONS HELD OVER

AUTHORIZE FOREIGN-TRADE ZONE OPERATOR AGREEMENT WITH INTERNATIONAL WAREHOUSING & SHIPPING, LLC. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 01-854-2022

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 Foreign-Trade Zone Operator Agreement between City of Mobile and International Warehousing & Shipping LLC, in which the City grants the Operator the right to utilize the real property located Foreign-Trade Zone No. 82, as outlined in the agreement attached hereto and made a part hereof as though set forth in full herein. 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 Reynolds moved that the resolution be adopted, which was seconded by Councilmember Jones, and the vote was as follows:

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

Nays: None

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

APPROVE PURCHASE ORDER TO GALLS, LLC FOR BODY ARMOR PLATES, MPD; \$86,344.00. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-855-2022

Sponsored by: Mayor Stimpson

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

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>11813</u>	2022	(1530) POLICE ADMIN SERVICES	172 BODY ARMOR PLATES FOR MPD (BUYBOARD COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$86,344.00	<u>(070216) GALLS LLC</u>

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

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

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

APPROVE PURCHASE ORDER TO INTERFACE SERVICES, INC. FOR NEW CARPETING, MIT; \$38,956.91. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-856-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>11822</u>	2022	(3032) ARCHITECTURAL ENGINEERING	NEW CARPETING FOR MIT (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$38,956.91	<u>(297869) INTERFACE SERVICES, INC</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO AUTONATION FORD MOBILE FOR 2023 FORD CARGO VAN; \$50,980.00. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-857-2022

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Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3591</u>	2022	(F7000) MOTOR POOL	2023 FORD TRANSIT HR CARGO VAN (SEALED BID 5727)	\$50,980.00	(270013) <u>AUTONATION</u> <u>FORD MOBILE</u>

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

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

Nays: None

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

AUTHORIZE PURCHASE ORDER TO SANSOM EQUIPMENT CO., INC. FOR THREE 2021 SIDE-LOAD GARBAGE TRUCKS; \$1,017,612.00. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-858-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>14895</u>	2022	(F7000) MOTOR POOL	3 2021 OR NEWER 31 CU YD SIDE LOAD GARBAGE TRUCKS W/PETERBILT CHASSIS (SEALED BID 5512)	\$1,017,612.00	(190715) <u>SANSOM</u> <u>EQUIPMENT CO</u> <u>INC</u>

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

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

Nays: None

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

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AUTHORIZE PURCHASE ORDER TO SANSOM EQUIPMENT CO., INC. FOR TWO 2022 SIDE-LOAD GARBAGE TRUCKS; \$704,312.00. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-859-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>14931</u>	2022	(F7000) MOTOR POOL	2 2022 30 CU YD SIDE LOAD GARBAGE TRUCKS W/AUTOCAR CHASSIS (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$704,312.00	<u>(190715) SANSOM EQUIPMENT CO INC</u>

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

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

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

APPROVE PURCHASE ORDER TO TRUCK EQUIPMENT SALES, INC. FOR BUCKET TRUCK; \$151,356.00. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-860-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4595</u>	2022	(F7000) MOTOR POOL	2022 40FT VERSALIFT BUCKET TRUCK ON INTERNATIONAL CHASSIS FOR FACILITY MAINTENANCE (SEALED BID 5722)	\$151,356.00	<u>(208560) TRUCK EQUIPMENT SALES INC</u>

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

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

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

APPROVE PURCHASE ORDER TO BFLY OPERATIONS, INC. FOR 12 ULTRASOUND PROBE DEVICES WITH CLOUD STORAGE, AND FIRE ADMINISTRATION; \$33,064.00. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-861-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>12172</u>	2022	(1510) FIRE ADMINISTRATION	12 BUTTERFLY IQ+ HANDHELD ULTRASOUND PROBE DEVICES WITH CLOUD STORAGE FOR MFRD (SEALED BID 5724)	\$33,064.00	<u>(297946) BFLY OPERATIONS INC</u>

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

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

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

APPROVE PURCHASE ORDER TO AXON ENTERPRISES, INC. FOR 10 VIRTUAL REALITY HEADSETS AND CONTROLLERS, MPD; \$49,536.72. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-862-2022

Sponsored by: Mayor Stimpson

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

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>12019</u>	2022	(2590) GRANT MANAGEMENT	10 HTC VIVE FOCUS 3 VIRTUAL REALITY HEADSETS WITH 12 CONTROLLERS FOR MPD (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$49,536.72	<u>(276844) AXON ENTERPRISE INC</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO GLOBAL INDUSTRIES, INC. FOR FURNITURE FOR MPD CYBER GULF COAST TECHNOLOGY CENTER; \$113,970.19. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-863-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>13537</u>	2022	(1545) POLICE CYBER DIVISION	FURNITURE FOR MPD CYBER GULF COAST TECHNOLOGY CENTER (TIPS COOPERATIVE PURCHASING AGREEMENT AT PRICE LESS THAN STATE CONTRACT OR NOT ON STATE CONTRACT)	\$113,970.19	<u>(073476) GLOBAL INDUSTRIES INC</u>

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

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

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

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APPROVE PURCHASE ORDER TO LEOS UNIFORMS & SUPPLY FOR MPD BADGES; \$87,193.00. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-864-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>2769</u>	2022	(1530) POLICE ADMIN SERVICES	BADGES FOR MPD (SEALED BID 5726)	\$87,193.00	<u>(125505 LEOS UNIFORMS & SUPPLY</u>

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

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

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

AUTHORIZE CCONTRACTWITH WESTWOOD PLAZA, LLC FOR LEASE OF LITTER COLLECTION RECEPTACLES. The following resolution which was introduced and read at the regular meeting of September 27, 2022, and held over until the regular meeting of October 4, 2022, was called upon by the Presiding Officer.

RESOLUTION: 21-865-2022

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 and to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Westwood Plaza LLC, for six months, for lease of litter collection receptacles, as outlined in the contract attached hereto and made a part hereof as though set forth in full, and that such contract serves a public purpose. A copy of said contract is on file in the Office of the City Clerk.

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

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

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

ORDINANCES BEING INTRODUCED

REZONE PROPERTY LOCATED AT 712, 716 AND 718 DAUPHIN ISLAND PARKWAY, FROM R-3 AND B-3 TO R-3.

ORDINANCE: 64-046-2022

Sponsored by: Councilmember Carroll

Notice of Public Hearing for the Proposed rezoning of Property Located at 712, 716 and 718 Dauphin Island Parkway (Northwest corner of Dauphin Island Parkway and Halls Mill Road, extending to the southeast corner of Johnston Avenue and Gosson Street).

Pursuant to Resolution of the Mobile, Alabama City Council adopted September 6, 2022, a public hearing will be held on the 10th day of October, 2022, at 10:30 a.m., to consider adoption of an ordinance to rezone property located at 712, 716 and 718 Dauphin Island Parkway (northwest corner of Dauphin Island Parkway and Halls Mill Road, extending to the southeast corner of Johnston Avenue and Gosson Street) from R-3, Multi-Family Residential District, and B-3, Community Business District, to R-3, Multi-Family Residential District.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant, and may take other actions allowed by law.

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:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2, CARMELITE NUNS DISCALCED, A SUBDIVISION RECORDED IN MAP BOOK 129, PAGE 117, PROBATE CORT RECORDS, MOBILE COUNTY, ALABAMA, SAID POINT LYING AND BING ON THE WEST RIGHT OF WAY LINE OF DAUPHIN ISLAND PARKWAY, (62-FOOT PUBLIC R/W, FORMERLY FULTON SPEEDWAY); THENCE S00°47'33"W, ALONG THE WEST RIGHT OF WAY LINE OF SAID DAUPHIN ISLAND PARKWAY, FOR 281.00 FEET; THENCE S01°01'37"W, CONTINUING ALONG THE WEST RIGHT OF WAY LINE OF SAID DAUPHIN ISLAND PARKWAY, FOR 134.67 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG THE WEST RIGHT OF WAY LINE OF SAID DAUPHIN ISLAND PARKWAY AND AROUND A NON-RADIAL CURVE TO THE RIGHT HAVING A RADIUS OF 453.54 FEET AND A DELTA ANGLE OF 24°04'46", THE CHORD OF WHICH BEARS S21°32'36"W FOR 189.12 FEET, FOR AN ARC DISTANCE OF 190.52 FEET TO A POINT AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF SAID DAUPHIN ISLAND PARKWAY WITH THE NORTHWEST RIGHT OF WAY LINE OF HALLS MILL ROAD, (VARIABLE WIDTH PUBLIC R/W); THENCE S47°17'57"W, ALONG THE WEST RIGHT OF WAY LINE OF SAID HALLS MILL ROAD, FOR 201.26 FEET; THENCE WESTERLY, ALONG THE WEST RIGHT OF WAY LINE OF SAID HALLS MILL ROAD, AND AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A DELTA ANGLE OF 73°42'15" FOR AN ARC DISTANCE OF 32.16 FEET TO A POINT ON THE NORTHEAST RIGHT OF WAY LINE OF GOSSON STREET, (60-FOOT PUBLIC R/W); THENCE n58°59'48"W, ALONG THE NORTHEAST RIGHT OF WAY LINE OF SAID GOSSON STREET, FOR 465.46 FEET; THENCE NORTHWESTERLY, ALONG THE NORTHEAST RIGHT OF WAY LINE OF SAID GOSSON STREET AND AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A DELTA ANGLE OF 104°29'01" FOR AN ARC DISTANCE OF 45.49 FEET TO A POINT ON THE EAST RIGHT

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OF WAY LINE OF JOHNSTON AVENUE, (60-FOOT PUBLIC R/W); THENCE N45°29'13"E, ALONG THE EAST RIGHT OF WAY LINE OF SAID JOHNSTON AVENUE, FOR 212.65 FEET; THENCE NORTHEASTERLY, ALONG THE EAST RIGHT OF WAY LINE OF SAID JOHNSTON AVENUE AND AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 649.13 FEET AND A DELTA ANGLE OF 27°03'56", THE CHORD OF WHICH BEARS N-31°57'15"E FOR 303.80 FEET, FOR AN ARC DISTANCE OF 306.64 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 1, AFORESAID CARMELITE NUNS DISCALCED, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 6, BLOCK 28 OF BON AIR ESTATES AS RECORDED IN DEED BOOK 156, PAGE 37, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE ALONG THE NORTH LINE OF SAID LOT, FOR 194.04 FEET TO A POINT ON THE WEST INE OF AFORESAID LOT 2; THENCE N00°47'07"E, ALONG THE WEST LINE OF SAID LOT 2, FOR 45.26 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE S89°59'37"E, ALONG THE NORTH LINE OF SAID LOT 2, FOR 150.01 FEET TO THE POINT OF BEGINNING, AND CONTAINING 7.108 ACRES, MORE OR LESS.

The classification of said property is hereby changed from R-3, Multi-Family Residential District and B-3, Community Business District to R-3, Multi-Family Residential 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 R-3, Multi-Family Residential 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 R-3, Multi-Family Residential 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 other codes and ordinances.

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

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

Councilmember Gregory moved for the suspension of the rules to consider Consent Resolutions 37-867 through 58-871 being introduced for the first time. The motion was seconded by Councilmember Jones, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR CLASS I LICENSE TO HOLIDAY INN MOBILE DOWNTOWN; 301 GOVERNMENT STREET. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-867-2022

Sponsored by: Councilmember Carroll

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

Type of application: Lounge Retail Liquor

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Class I License

Submitted by: Mahantraj Mobile, LLC

Location: Holiday Inn Mobile Downtown
301 Government Street
Mobile. AL 36602

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

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

Nays: None

The vote was then announced 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 TO GRACE; 555 DAUPHIN STREET. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-868-2022

Sponsored by: Councilmember Carroll

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

Type of application: Restaurant Retail Liquor License

Submitted by: 555 Dauphin, LLC

Location: Grace
555 Dauphin Street
Mobile, AL 36602

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

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

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL EVENTS RETAIL LIQUOR LICENSE TO LIT CIGAR LOUNGE; COOPER RIVERSIDE PARK. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-869-2022

Sponsored by: Councilmember Carroll

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

Type of application: Special Events Retail License

MINUTES OF OCTOBER 4, 2022

Submitted by: Lit Cigar Lounge, Inc.

Location: Saturdays at the Coop
1 Government Street
Mobile, AL 36602

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

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

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

DECLARE WEEDS NOXIOUS, GROUP 1634. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 58-870-2022

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 #1634 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 8th day of November 2022, 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						
1634						Res. No.
10/4/2022	LOTS TO BE DECLARED					58-
11/8/2022	LOTS FOR PUBLIC HEARING					58-
//2022	LOTS TO BE ASSESSED FOR COST					58-
				Amount	Dis	N/A
No.	Address	SRO No.	CASE #	Assessed		CBO
1	1202 Bernice Hudson Dr	28741	21533		3	
2	1512 Dominick St	28302	21534		2	
3	902 Gulf Terra Dr W	29239	21535		3	
4	711 Euclid Ave	29295	21536		5	
5	1051 Choctaw St	29262	21537		3	
6	2558 Hillcrest Rd	29482	21538		6	
7	0 Schwarz St/James Finley Dr	26950	21552		1	
	Par. No. (29 07 42 0 001 544.XXX)					
8	1159 Rotterdam St	28816	21539		2	
9	4044 Marchfield Dr N	29326	21540		4	
10	515 Wisconsin Ave	28707	21541		2	
11	0 University Blvd N	21280	21542		7	
	Par. No. (28 02 10 1 003 028.005)					
12	0 Wealthy/Wellington St	19649	21542		7	
	Par. No. (29 02 44 0 008 416.XXX)					
13	0 Cody Rd	18800	21544		7	
	Par. No. (28 04 18 1 002 068.XXX)					
14	5327 Halls Mill Rd	11850	21545		4	
15	4060 Moffett Rd	28203	21546		1	
16	0 Cassidy St	19834	21547		2	
	Par. No. (29 02 44 0 030 350.XXX)					
17	3607 Heritage Dr N	28997	21548		5	
18	624 Mohawk St	28990	21549		5	
19	730 Bankhead Place A	19337	21550		5	
20	808 Baltimore St	21523	21551		3	
				\$ -		
District total for this group		Numbers of lots cut				
1	2		1			
2	4		2			
3	5		3			
4	2		4			
5	4		5			
6	0		6			
7	3		7			
	20		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 Carroll moved that the resolution be adopted, which was seconded by Councilmember Jones, and the vote was as follows:

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

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

AUTHORIZE REMOVAL OF WEEDS, GROUP 1632. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 58-871-2022

MINUTES OF OCTOBER 4, 2022

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

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

WHEREAS, Parcels Nos. 1 through 20 described in the resolution adopted on the 30th day of August 2022, 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 20, as described in the resolution adopted on the 30th day of August 2022, 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 PU ABATEMENT OF SUCH NUISANCES."

(Lot Cleaning Liens, Group No.1632 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.

MINUTES OF OCTOBER 4, 2022

WEED LIEN						
1632						Res. No.
8/30/2022	LOTS TO BE DECLARED					58-
10/4/2022	LOTS FOR PUBLIC HEARING					58-
//2022	LOTS TO BE ASSESSED FOR COST					58-
				Amount	Dis	N/A
No.	Address	SRO No.	CASE #	Assessed		CBO
1	505 Yazoo St	28217	20882		7	
2	557 Roslyn Dr W	28060	20883		7	
3	6208 Lampwood Ct	27265	20885		6	
4	3817 Lansdowne Cir W	27771	20886		4	
5	5375 U. S. Highway 90 W	28247	20887		4	
6	6504 Gaslight Ln S	9699	20889		6	
7	1162 Ginger Dr	27713	20890		4	
8	181 Sunset Dr E	10309	20891		5	
9	710 Louise Dr	280345	20892		5	
10	7138 11th St	28352	20893		7	
11	2853 Pleasant Valley Rd	28403	20894		4	
12	765 Kentucky St	27536	20895		3	
13	7103 10th St	18918	20896		7	
14	701 Montclair Way	28747	20897		5	
15	1057 Sutton Ave	28465	20898		3	
16	858 Charles St	28317	20899		3	
17	512 Maybrick Rd E	27884	20900		7	
18	1004 McNeil Ave	28607	20903		6	
19	951 McCay Ave	20226	20904		6	
20	4064 Sallie Ct	28719	20905		5	
District total for this group				\$ -		
Numbers of lots cut						
1	0	1				
2	0	2				
3	3	3				
4	4	4				
5	4	5				
6	4	6				
7	5	7				
	20		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 Carroll moved that the resolution be adopted, which was seconded by Councilmember Jones, and the vote was as follows:

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

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

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

Councilmember Gregory moved for the suspension of the rules to consider Resolutions 03-873 and 21-880 being introduced for the first time. The motion was seconded by Councilmember Jones, and the vote was as follows:

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

MINUTES OF OCTOBER 4, 2022

Nays: None

The Presiding Officer declared unanimous consent granted for the items.

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH TELEPAK NETWORKS, INC. FOR MCGREGOR AVENUE WIDENING (AIRPORT BOULEVARD TO DAUPHIN STREET). The following resolution was held over until the regular meeting of October 11, 2022.

RESOLUTION: 01-872-2022

Sponsored by: Councilmember Daves 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, and any necessary amendments thereafter, between Telepak Networks Inc. A copy of said executed contract will be on file in the office of the City Clerk.

Name of company: Telepak Networks Inc.

Project name: McGregor Ave Widening from Airport Blvd to Dauphin Street and Installation of Roundabout at Dauphin Street COM Project No. 2013-202-07 STPMB-7508(600)

Agreement: Reimbursable Agreement for Relocation of Utility Facilities on Private or Public Right-of-Way to be Performed by State Contractor

APPOINT ELLIS FOSTER TO THE MOBILE HOUSING AUTHORITY. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-873-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor's appointment of Ellis Foster, Jr. to the Mobile Housing Authority, for a term effective September 20, 2022, through September 30, 2027, and is hereby approved and confirmed.

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

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

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

APPROVE PURCHASE ORDER TO TRANE US, INC. FOR AIR CONDITIONING CONDENSING AND AIR HANDLING UNITS FOR SPRINGHILL RECREATION CENTER; \$66,816.00. The following resolution was held over until the regular meeting of October 11, 2022.

RESOLUTION: 08-874-2022

Sponsored by: Mayor Stimpson

MINUTES OF OCTOBER 4, 2022

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>15179</u>	2022	(3035) FACILITY MAINTENANCE	TRANE AIR CONDITIONING CONDENSING AND AIR HANDLING UNITS FOR SPRINGHILL REC CENTER (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$66,816.00	<u>(293908) TRANE US INC</u>

APPROVE PURCHASE ORDER TO STIVERS CHRYSLER DODGE JEEP RAM FOR EIGHT (8) DODGE DURANGO PATROL VEHICLES; MPD; \$345,298.88. The following resolution was held over until the regular meeting of October 11, 2022.

RESOLUTION: 08-875-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>12156</u>	2022	(F7000) MOTOR POOL	8 DODGE DURANGO PURSUIT PATROL VEHICLES FOR MPD (AL STATE CONTRACT)	\$345,298.88	<u>(298035) STIVERS CHRYSLER DODGE JEEP RAM</u>

APPROVE PURCHASE ORDER TO TRUCK EQUIPMENT SALES, INC. FOR DIGGER-DERRICK TRUCK; TRAFFIC ENGINEERING; \$297,819.00. The following resolution was held over until the regular meeting of October 11, 2022.

RESOLUTION: 08-876-2022

Sponsored by: Mayor Stimpson

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

MINUTES OF OCTOBER 4, 2022

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>14679</u>	2022	(F7000) MOTOR POOL	DIGGER-DERRICK TRUCK FOR TRAFFIC ENGINEERING (SEALED BID 5723)	\$297,819.00	<u>(208560) TRUCK EQUIPMENT SALES INC</u>

APPROVE PURCHASE ORDER TO QUICK BUILDINGS, LLC FOR ROOF, CEILING, WINDOW AND FLOOR UPGRADES TO FIRE DEPARTMENT DRILL CENTER; \$48,672.00. The following resolution was held over until the regular meeting of October 11, 2022.

RESOLUTION: 08-877-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>15084</u>	2022	(3032) ARCHITECTURAL ENGINEERING	ROOF, CEILING, WINDOW, AND FLOOR UPGRADES TO MFRD DRILL CENTER PORTABLE BUILDING (SEALED BID 5683)	\$48,672.00	<u>(290398) QUICK BUILDINGS LLC</u>

AUTHORIZE CONTRACT WITH JOHN G. WALTON CONSTRUCTION COMPANY FOR 2018 PAY GO N. MCGREGOR AVENUE RECONSTRUCTION; \$1,767,061.96. The following resolution was held over until the regular meeting of October 11, 2022.

RESOLUTION: 21-878-2022

Sponsored by: Councilmember Gregory and Mayor Stimpson

WHEREAS, bids for sidewalks, curbing, drainage, utilities, road, construction, asphalt paving for district 7 were received and opened on August 17, 2022.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from John G. Walton Construction Company Inc., in the amount of \$1,767,061.96.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by John G. Walton Construction Company, Inc.

NOW, THEREFORE, 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 with the company listed below for work as outlined in the contract attached hereto and made a part hereof as through set forth in full. A copy of said contract is on file in the office of the City Clerk:

Name of Company: John G. Walton Construction Company, Inc.

MINUTES OF OCTOBER 4, 2022

Project Name: 2018 PAYGO North McGregor Ave. Reconstruction
Project Number: 2019-3005-19
Amount: \$1,767,061.96

APPROVE CONTRACT WITH JENNIE BROWN FOR COURT REPORTING SERVICES.

The following resolution was held over until the regular meeting of October 11, 2022.

RESOLUTION: 21-879-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Professional Services Agreement between the City of Mobile and Jennie Q. Brown, to provide all necessary court reporting services for any matter assigned to the Honorable Charles Allen Graddick, Sr., to last for a period of twelve months and the total amount not to exceed SEVENTY-EIGHT THOUSAND DOLLARS (\$78,000.00), for services as outlined in said Agreement made a part hereof by reference. A copy of said Agreement is on file in the office of the City Clerk.

AUTHORIZE CONTRACT WITH SPIRE, LLC FOR MARKETING SERVICES; \$70,000.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 21-880-2022

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 to execute and attest, respectively, for and on behalf of the City of Mobile, a contract by and between the City of Mobile and SPIRE, LLC, in an amount not to exceed \$70,000.00, for a one-year period, for marketing services, as outlined in the contract attached hereto and made a part hereof as though set forth in full.

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

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

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

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

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

APPROVE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO DOG TEAM PEDI CAB TO OPERATE A PEDI CAB SERVICE. The following resolution was held over until the regular meeting of October 11, 2022.

RESOLUTION: 37-881-2022

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Dog Team Pedi Cab for a Certificate of Public Convenience and Necessity to operate pedi-cab service is hereby approved.

MINUTES OF OCTOBER 4, 2022

A copy of said application is on file in the office of the City Clerk.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; SIEGESMUND. The following resolution was held over until the regular meeting of October 11, 2022.

RESOLUTION: 60-882-2022

Sponsored by: Mayor Stimpson

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

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 5015, 5017, 5019, 5021, 5029, 5033, 5039, 5049, 5051, 5055, 5121, & 5133 COTTAGE HILL ROAD, 2113 DEMETROPOLIS ROAD, AND 2104 GARMONS LANE FROM R-2 AND B-2 TO B-2 (DISTRICT 4). The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 41-883-2022

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 amendment to the Zoning Ordinance 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 amendment.

Notice of Public Hearing for the Proposed Rezoning of Property Located at 5015, 5017, 5019, 5021, 5029, 5033, 5039, 5049, 5051, 5055, 5121, & 5133 Cottage Hill Road, 2113 Demetropolis Road and 2104 Garmons Lane (Southeast corner of Cottage Hill Road and Demetropolis Road, extending to the northwest corner of N. Demetropolis Road and Dinkins Drive)

Pursuant to Resolution of the Mobile, Alabama City Council adopted October 4, 2022, a public hearing will be held on the 8th day of November 2022, at 10:30 a.m., to consider adoption of an ordinance to rezone property located at 5015, 5017, 5019, 5021, 5029, 5033, 5039, 5049, 5051, 5055, 5121, & 5133 Cottage Hill Road, 2113 Demetropolis Road and 2104 Garmons Lane (southeast corner of Cottage Hill Road and Demetropolis Road, extending to the northwest corner of N. Demetropolis Road and Dinkins Drive) from R-1, Single-Family Residential District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business District.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant and may take other actions allowed by law.

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:

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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 THE SOUTHEAST CORNER OF LOT 1, COTTAGE SQUARE SUBDIVISION, AS PER PLAT RECORDED IN INSTRUMENT #2021026506 OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF NORTH DEMETROPOLIS ROAD; THENCE ALONG SAID WEST RIGHT OF WAY LINE OF NORTH DEMETROPOLIS ROAD, RUN S 01°18'43"W 490.34 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF TROY LANE; THENCE ALONG SAID NORTH RIGHT OF WAY LINE OF TROY LANE, RUN N89°44'31"W 745.30 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF GARMON'S LANE; THENCE ALONG SAID WEST RIGHT OF WAY LINE OF GARMON'S LANE, RUN S17°45'29"W 144.81 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 72°24'00" AND A RADIUS OF 25.00 FEET; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE OF GARMON'S LANE, RUN SOUTHWESTWARDLY ALONG SAID WEST RIGHT OF WAY-LINE OF GARMON'S LANE, A DISTANCE OF 31.59 FEET TO THE P.T. OF SAID CURVE (CHORD BEARS S53°57'29"W, 29.53 FEET FROM THE LAST DESCRIBED POINT); THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE OF GARMON'S LANE, RUN S89°50'31"E 18.30 FEET TO A POINT; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE OF GARMON'S LANE, RUN S17°45'29"W 143.29 FEET TO A POINT ON THE SOUTH BOUNDARY OF PARCEL 4, MARTHA YOUNG ESTATE, AS PER PLAT RECORDED IN MAP BOOK 13, PAGE 58 OF SAID PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG SAID SOUTH BOUNDARY OF PARCEL 4, MARTHA YOUNG ESTATE AND ALONG THE SOUTH BOUNDARY OF PARCEL 3 OF SAID MARTHA YOUNG ESTATE, RUN S88°50'31"W 269.48 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF UNIVERSITY BOULEVARD; THENCE ALONG SAID EAST RIGHT OF WAY LINE OF UNIVERSITY BOULEVARD, RUN N06°07'55"W 506.78 FEET TO A POINT ON THE ARC OF A 187.17 FOOT RADIUS CURVE CONCAVE SOUTHEASTWARDLY; SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF COTTAGE HILL ROAD; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF COTTAGE HILL ROAD, RUN NORTHEASTWARDLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 178.97 FEET TO THE P.O. OF SAID CURVE (CHORD BEARS N44°54'09"E 172.23 FEET FROM THE LAST DESCRIBED POINT); THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE OF COTTAGE HILL ROAD, RUN N72°17'44"E 317.81 FEET TO A POINT; THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE OF COTTAGE HILL ROAD, RUN N 70°08'40"E 532.86 FEET TO A POINT; THENCE S07°56'00"E AND ALONG THE WEST BOUNDARY OF LOT 2 OF THE AFOREMENTIONED COTTAGE SQUARE SUBDIVISION, RUN A DISTANCE OF 200.30 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2, COTTAGE SQUARE SUBDIVISION, THENCE RUN S88°48'19"E 108.39 FEET TO A POINT; THENCE RUN N01°17'41"E 83.79 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE AFOREMENTIONED LOT 2, COTTAGE SQUARE SUBDIVISION; THENCE ALONG SAID SOUTH BOUNDARY OF LOT 2, COTTAGE SQUARE SUBDIVISION, RUN S88°42'29"E 110.33 FEET TO THE POINT OF BEGINNING. CONTAINING 614,189 SQUARE FEET OR 14.10 ACRES, MORE OR LESS.

The classification of said property is hereby changed from R-1, Single-Family Residential District and B-2, Neighborhood Business District to B-2, Neighborhood Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in B-2, Neighborhood Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-2, Neighborhood Business District until all of the conditions set forth below

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have been complied with: 1) completion of the Subdivision process; 2) compliance with Engineering comments: (a) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). b) A Land Disturbance Permit application shall be submitted for land-disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work, c) Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile. Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control, d) Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy, e) The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals, f) The proposed development must comply with all Engineering Department design requirements and Policy Letters.); and, 3) 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.

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

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as November 8, 2022.

CALL FOR PUBLIC HEARING TO CONSIDER AMENDING SECTION 34.3.I, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991 AND AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 41-884-2022

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 in Mobile County the attached NOTICE OF PUBLIC HEARING AND CONSIDERATION OF ORDINANCE TO AMEND SECTION 64.3.I, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, AND AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022, in the time and manner as set forth in said notice.

NOTICE OF PUBLIC HEARING AND CONSIDERATION OF ORDINANCE TO AMEND SECTION 64.3.I, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, AND AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022.

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NOTICE is hereby given that at 10:30 a.m. on November 15, 2022, in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama 36644, and pursuant to Code of Alabama § 11-52-77, the City Council for the City of Mobile will hold a public hearing on, take public comment on, and consider an ordinance to AMEND SECTION 64.3.I, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, and AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022. All persons may be heard in opposition to or in favor of the said ordinance at the said time and place. Government Plaza, 205 Government Street, Mobile, Alabama 36644, serves as the City Hall for the City of Mobile.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org, or may mail them to City of Mobile, City Clerk, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, Mobile Government Plaza, Ninth Floor, 205 Government Street, Mobile, Alabama 36644. Written comments must be received by noon on Friday, November 11, 2022.

The proposed Downtown Development District (DDD) amendments will create a new Special District with development standards for the Civic Center site, add development standards for two existing sub-districts, correct text errors and amend the Regulating Plan map.

The proposed Special District – Civic Center is being created to guide the redevelopment of the Civic Center site and is intended to revitalize the existing entertainment venue and add office, retail, lodging, residential and related supporting facilities as allowable uses on the site.

The Civic Center site is bounded to the north by Civic Center Drive, to the east by South Claiborne Street, to the south by Canal Street, and to the west by South Lawrence Street.

The proposed Special District for the Civic Center will create six new subdistricts. Each new sub-district is intended to guide future new development and redevelopment on the site, establishing height limits, setbacks and allowed uses.

SD-CC.1 sub-district: This sub-district contains the existing Civic Center Arena. This sub-district has no direct frontage on any of the existing abutting streets. This subdistrict is buffered from existing residential and commercial developments by the SD- CC.5 and .6 sub-districts. The maximum allowed building height is thirteen (13) stories, which accommodates the existing arena.

SD-CC.2 sub-district: This sub-district fronts South Claiborne Street, as well as where South Claiborne combines with South Jackson, South Joachim and South Conception Streets. The road frontage is directly adjacent to Interstate 10. The maximum allowed building height is sixteen (16) stories.

SD-CC.3 sub-district: This sub-district has frontage on the South Claiborne, South Jackson, South Joachim and South Conception combined street. The maximum allowed building height is ten (10) stories.

SD-CC.4 sub-district: This sub-district establishes the southeast corner of the Civic Center site and has frontage on Canal Street and the South Claiborne, South Jackson, South Joachim and South Conception combined street. The maximum allowed building height is eight (8) stories.

SD-CC.5 sub-district: This sub-district is located on the west side of the site, along South Lawrence Street. The maximum allowed building height is three (3) stories.

SD-CC.6 sub-district: This sub-district is located along Civic Center Drive, between South Lawrence Street and South Claiborne Street. The maximum allowed building height is three (3) stories.

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The proposed amendments will also further define existing Municipal and Open sub-districts, establishing use and development criteria.

Amendments are proposed to the following Sub-sections and their associated tables:

Establishment of sub-districts.
Administration, instruction, amendments and variances.
Property standards.
Parking standards.
Building and parking deck height standards.
Building materials standards.
Frontage standards.
Signage standards.
Definitions.

The proposed DDD amendments can be viewed on the City of Mobile's website at www.cityofmobile.org. Amendments are also proposed to the Regulating Plan maps, published herewith.

Copies of the proposed DDD amendments and hard copies of the maps are available for public inspection in the Office of the Mobile City Clerk on the 9th floor of Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36602, during normal business hours.

Councilmember Reynolds moved to call for the public hearing, which move was seconded by Councilmember Gregory. Councilmembers Jones, Carroll, Gregory, Small, Jim DeLapp, Public Works Executive Director, Edgar Walsh, City Council Attorney, and Lisa Lambert, City Clerk, offered comments.

Councilmember Reynolds made the motion to change the public hearing date to November 15, 2022, which move was seconded by Councilmember Jones, and the vote was as follows:

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

The vote was then announced by the city Clerk, whereupon the Presiding Officer declared the amendment adopted.

The Presiding Officer then called for the vote on the resolution as amended and the vote was as follows:

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

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

ANNOUNCEMENTS

At approximately 11:48 a.m., Councilmember Reynolds excused himself from the City Council meeting.

Councilmember Small reminded citizens that the community meeting scheduled for tonight was changed to November 7, 2022, and will be held at Revelation Baptist Church, at 6:00 p.m.

Councilmember Small announced that a community meeting will take place at Mertz Magnet School of Math Science and Technology on November 14, 2022, at 6:00 p.m.

Councilmember Small shared that the District 3 Holiday Reception will be held at the Maryville Elementary School on December 13, 2022, at 6:00 p.m.

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Councilmember Small announced that the Parade of Threes will begin at B. C. Rain High School and end at Palmer Pillans Middle School on December 17, 2022, at 2:00 p.m.

Councilmember Penn invited citizens to Family Fun Night at Figures Community Center on October 7, 2022, from 5:00 p.m. – 7:00 p.m.

Councilmember Penn also invited citizens to “Kids Day” at Herdon-Sage Park on October 8, 2022, from 10:00 a.m. – 2:00 p.m.

Councilmember Penn announced that the District 1 parade and Penn’sgiving will be held in the Toulminville community on November 26, 2022.

Councilmember Carroll announced that the Administrative Services Committee meeting will be held today at 1:00 p.m.

Councilmember Jones congratulated the University of South Alabama Jaguars on their win this past Saturday and invited the community to support the team in two weeks for homecoming.

Councilmember Gregory mentioned that the District 7 community holiday party will be held on December 5, 2022, at 6:00 p.m., at the Mobile Museum of Art.

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

Ayes: Penn, Carroll, Small, Jones, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:54 a.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK