

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 29, 2020

The Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, September 29, 2020, at 9:00 a.m.

Present:

Councilmembers: Richardson, Manzie, 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:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 29, 2020

The City Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, September 29, 2020, at 10:30 a.m., in regular meeting.

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

Rev. Rebekah Abel Lamar, Government Street Presbyterian Church, offered the 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, to include special provisions to facilitate social distancing because of the Covid-19 virus.

APPROVAL OF MINUTES:

The minutes of the meeting of September 22, 2020, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson announced that the U.S. Department of Commerce has extended the deadline for the census until October 5, 2020.

Mayor Stimpson shared that 25% of the debris from Hurricane Sally has been collected.

Mayor Stimpson announced that recycling centers are still closed due to Hurricane Sally.

Mayor Stimpson informed citizens to call 311 if they need assistance getting their storm debris to the curb for pick-up.

PRESENTATIONS BY THE COUNCIL

MINUTES OF SEPTEMBER 29, 2020

Councilmember Manzie presented a resolution to thank Alabama Power, Southern Company, related power companies and the linemen for restoring power in Mobile and the surrounding areas following Hurricane Sally.

ADOPTION OF THE AGENDA:

Councilmember Daves moved to adopt the agenda and declare the items on the agenda Essential/Covid-19 related, 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 vote was then announced by the City Clerk whereupon the Presiding Officer declared the agenda adopted and all items declared Essential/Covid-19 related.

APPEALS

Request of LaQueena Wright, 1308 Wellington Street, for a waiver of the Noise Ordinance on October 24, 2020, from 11:00 a.m. - 6:00 p.m. (District 1).

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

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

Nays: None

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

Request of Thomas Bryant, 660 Momote Drive West, for a waiver of the Noise Ordinance on October 3, 2020, from 5:00-10:00 p.m. (District 4).

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

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

Nays: None

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

PUBLIC HEARINGS

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 2451 MCARTHUR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 2451 McArthur Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 75 N. SAGE AVENUE A PUBLIC NUISANCE AND ORDER IT SECURED/DEMOLISHED (DISTRICT 1).

MINUTES OF SEPTEMBER 29, 2020

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 75 N. Sage Avenue a public nuisance and order it 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 2061 TUCKER STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 2061 Tucker Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1506 DIAMOND DRIVE 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 1506 Diamond Drive a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 2734 JOSEPHINE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 2734 Josephine Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 2306 DOG RIVER DRIVE N A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 2306 Dog River Drive N a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 5620 PEARY ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4).

MINUTES OF SEPTEMBER 29, 2020

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 5620 Peary Road a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 4241 FURMAN DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 4241 Furman Drive a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 5630 HUNTER STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 5630 Hunter 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. Reggie Hill, 1007 Center Street, addressed Ordinances 02-027, 57-029 & 02-032 and Resolutions 31-717 & 31-718, 37-719, 60-732, 08-673 – 08-676, 21-678 and 37-719.

NON-AGENDA ITEMS:

None

ESSENTIAL/COVID-19 ITEMS HELD OVER:

ORDINANCE TO AMEND THE RULES FOR COMMUNICATIONS WITH THE COUNCIL.

The following ordinance, which was introduced and read at the regular meeting of July 28, 2020, and held over until the regular meetings of August 18, 2020, September 22 & 29, 2020, was called up by the Presiding Officer.

ORDINANCE: 02-027-2020

Sponsored by: Councilmember Williams

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

Section. 1. Amendment of Rules for Communications with Council.

MINUTES OF SEPTEMBER 29, 2020

Sub-section (a) of Sec. 2-62.-Communications with council, of the Mobile City Code, 1991, as amended, is hereby amended and restated in its entirety as follows:

(a) Presentations of petitions and other communications to the council:

(1) Interested parties or their authorized representatives wishing to address the council on non-agenda items (items not included on the agenda) must submit in writing to the city clerk a request to address the council identifying the subject matter to be discussed and the specific question to be addressed. The written communication must relate to city government and must be received by the city clerk on or before 2:00 p.m. the Thursday preceding the regular council meeting at which the person desires to speak.

(2) Interested parties or their authorized representatives wishing to address the council on items included on the agenda for a regular council meeting must sign in with the city clerk and identify the specific agenda item(s) to be addressed prior to the start of the regular council meeting.

(3) In the event a regular council meeting is conducted remotely, interested persons or their authorized representatives wishing to address the council on items included on the agenda for a regular council meeting must submit in writing to the city clerk a request to address the council at such remote meeting and identify the specific agenda item(s) to be addressed, which written request must be received by the city clerk at least 24 hours preceding the remotely conducted meeting.

(4) Each person from the general public addressing the council on either agenda or non-agenda items, when called, shall step up to the podium or other location provided to address the council and give their name and address in an audible and clear tone of voice for the record.

(5) Each person addressing the council on either agenda or non-agenda items shall be limited to a total of three (3) minutes on all subjects, provided that a single one (1) minute extension shall be granted upon the request of any council member. No further extension shall be allowed except by permission granted by super-majority vote of the council.

(6) There shall be no dialogue between the person addressing the council and any individual council member, and no questions will be answered nor comment made by council members during this segment of the meeting.

Section 2. Miscellaneous.

(a) All other provisions and sections of the aforesaid Ordinance not amended herein shall remain in full force and effect.

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

(c) This Ordinance shall be effective within the City of Mobile and its police jurisdiction immediately upon its adoption and publication as required by law.

(d) The City Council of the City of Mobile, Alabama, finds that this ordinance is necessary to perform essential minimum functions of the Council.

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

Councilmember Rich offered the following amendment.

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

Section. 1. Amendment of Rules for Communications with Council.

MINUTES OF SEPTEMBER 29, 2020

Sub-section (a) of Sec. 2-62.-Communications with council, of the Mobile City Code, 1991, as amended, is hereby amended and restated in its entirety as follows:

(a) Presentations of petitions and other communications to the council:

(1) Interested parties or their authorized representatives wishing to address the council on non-agenda items (items not included on the agenda) must submit in writing to the city clerk a request to address the council identifying the subject matter to be discussed and the specific question to be addressed. The written communication must relate to city government and must be received by the city clerk on or before 2:00 p.m. the Thursday preceding the regular council meeting at which the person desires to speak.

(2) Interested parties or their authorized representatives wishing to address the council on items included on the agenda for a regular council meeting must sign in with the city clerk and identify the specific agenda item(s) to be addressed prior to the start of the regular council meeting.

(3) In the event a regular council meeting is conducted remotely, interested persons or their authorized representatives wishing to address the council on items included on the agenda for a regular council meeting must submit in writing to the city clerk a request to address the council at such remote meeting and identify the specific agenda item(s) to be addressed, which written request must be received by the city clerk at least 24 hours preceding the remotely conducted meeting.

(4) Each person from the general public addressing the council on either agenda or non-agenda items, when called, shall step up to the podium or other location provided to address the council and give their name and address in an audible and clear tone of voice for the record.

(5) Each person addressing the council on either agenda or non-agenda items shall be limited to a total of three (3) minutes on all subjects, provided that a single one (1) minute extension shall be granted upon the request of any council member. No further extension shall be allowed except by permission granted by super-majority vote of the council.

Section 2. Miscellaneous.

(a) All other provisions and sections of the aforesaid Ordinance not amended herein shall remain in full force and effect.

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

(c) This Ordinance shall be effective within the City of Mobile and its police jurisdiction immediately upon its adoption and publication as required by law.

(d) The City Council of the City of Mobile, Alabama, finds that this ordinance is necessary to perform essential minimum functions of the Council.

The motion was seconded by Councilmember Daves.

The Presiding Officer called for the vote, and the vote was as follows:

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

Nays: Williams

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 original motion as amended. Following comments by Councilmembers Williams, Gregory, Daves, Manzie and Rich.

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ORDINANCE TO ESTABLISH PROCEDURES AND POLICIES FOR THE VACATION OF ANY STREET, ALLEY, OR DEDICATED PUBLIC RIGHT OF WAY. The following ordinance, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

ORDINANCE: 57-029-2020

Sponsored by: Councilmembers Richardson and Daves

WHEREAS, State law authorizes the City Council, as the governing body of the City of Mobile, to vacate, in whole or in part, streets, alleys, and dedicated public ways in accordance with certain mandated procedures and when such vacation is determined by the Council to be in the public interest; and,

WHEREAS, Section 11-49-6 of the Code of Alabama authorizes the Council, as the governing body of the City of Mobile, to require abutting landowners to pay a vacation of right-of-way fee as a condition to the Council's exercise of the power to vacate any street, alley, or dedicated public way; and,

WHEREAS, the decision to vacate any street, alley, or dedicated public way is committed to the legislative discretion of the Council; and

WHEREAS, in the exercise of its legislative powers the Council desires to set forth in this Ordinance the policies and procedures to be followed for the vacation of any street, alley, or dedicated public way pursuant to petition.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that Section 57-17 of the Mobile City Code is hereby amended and restated so that it now reads in its entirety as follows:

SECTION 57-17. VACATION OF STREETS,
ALLEYS AND PUBLIC WAYS BY PETITION.

SECTION ONE. PROCEDURES.

(A). FILING OF PETITION WITH CITY CLERK.

(1). Subject to the conditions and requirements of applicable State law and this Ordinance, the owner or owners of land abutting any street, alley, or dedicated public way, including unused rights-of-way, may petition the City Council to have the street, alley, or public way vacated, in whole or in part.

(2). Any person who desires to vacate a street, alley, or dedicated public way, open or unopen, shall submit to the City Clerk a written petition requesting that the street, alley, or public way be vacated. The written petition must contain notarized signatures evidencing the consent of all of the following:

(a) the owner(s) of the land abutting the street, alley, or public way to be vacated; and,

(b) if the petition requests the vacation of an open, paved street, alley or public way, the owner(s) of any land contained within any platted subdivision in which the street, alley, or public way to be vacated is located; and,

(c) if the petition requests the vacation of an open, paved street, alley or public way, the owner(s) of any land within 300 feet of the area of such street, alley, or public way to be vacated.

(3). When the written petition is submitted, the person(s) submitting the petition shall provide the following to the City Clerk with such petition:

(a). the correct legal description of the area sought to be vacated;

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(b). a plat or survey that clearly shows in detail:

(i) the area sought to be vacated;

(ii) the location of all lots or tracts of land that abut the area sought to be vacated;

(iii) the square footage of the area sought to be vacated;

(iv) the square footage of each lot or tract of land that abuts the area sought to be vacated.

(c). the current year assessed value, as determined by the Mobile County Revenue Commissioner, of all lots or tracts of land that abut the area sought to be vacated.

(d). If the petition requests vacation of a paved street or public way open to vehicular traffic, then a traffic impact study and report prepared by a transportation engineer in accordance with the recommendations of the Institute of Transportation Engineers must be submitted with the petition. The study must show that the proposed vacation will not impede the orderly flow of traffic within 300 feet of the street or public way to be vacated, and, if applicable, the platted subdivision in which such street or public way is located.

(e). If the petition requests vacation of a paved street or public way open to vehicular traffic, then an agreement must be signed by all persons requesting the vacation and submitted to the City Clerk wherein those persons jointly and severally agree to indemnify and hold the City of Mobile, and its officials and employees, harmless of and from any costs, expenses, and attorney fees that may be incurred in connection with any litigation that may be brought by any person or entity challenging the decision to vacate the street, alley, or public way. Such indemnification and hold harmless agreement shall be in a form approved by the Clerk.

(f). Three (3) sets of printed adhesive labels containing the names and addresses of the owner(s) of any applicable land referred to in Section One, sub-sections (A).(2).(a), (A).(2).(b) and (A).(2).(c) of this ordinance.

(4). The person(s) submitting the petition shall pay a \$100.00 fee to the Clerk at the time that the petition is submitted.

(5). The person(s) submitting the petition, or their designee, shall be responsible for notifying in writing all utility companies (including but not limited to Mobile Area Water and Sewer System, Alabama Power, Spire, AT&T, and Comcast Cable), and any other person or entity that has any easement or right-of-way that would be affected by the proposed vacation, of the proposed request for vacation. Such notification shall contain a request that the utility or other easement or right-of-way holder consent in writing to the vacation, or submit written objection thereto. Such written responses from the utilities or other easement or right-of-way holders shall be provided to the City Clerk at the time that the written petition is submitted.

(6). A petition will not be considered to have been submitted until all of the requirements of this section have been met, unless otherwise permitted by the laws of the State of Alabama.

(7). The State of Alabama, Mobile County, Alabama, and other governmental and quasi-governmental agencies or entities shall be exempt from the requirements of subsections (A)(2)(b), (A)(2)(c), (A)(3)(d) and (A)(3)(e) of this Section One.

(B). REVIEW BY CITY DEPARTMENTS AND OFFICIALS.

(1). Following receipt of the written petition, the City Clerk will forward the petition and any other submitted documentation to the Mayor, the city engineer, the city traffic engineer, the chief of police, the chief of the fire-rescue department, the city attorney, the council attorney, the real estate department, the right-of-way department, and the community and housing development department, for their review and comment. Written comments and

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objections from such persons or departments, if any, must be received by the City Clerk within thirty (30) days thereafter in order to be considered by the Council.

(2). Before the petition may move forward City Clerk must receive written communication from the Chief of Police stating that the vacation is in the interest of public safety and from the Chief of the Fire Rescue Department stating that the vacation is consistent with applicable fire codes and will not hinder the Fire Rescue Department in responding to fire or rescue situations. The statement of the Chief of Police should include the data upon which he bases his conclusions.

(C). SCHEDULING OF PUBLIC HEARING.

(1). After the time period for submission of comments and any objections from city officials or departments has elapsed, the person(s) submitting the petition shall provide the Clerk with a declaration of vacation signed by all abutting landowners to the area sought to be vacated, and a proposed Council resolution assenting to the proposed vacation, in forms approved by the Clerk. Upon receipt of the declaration after the City official/department commentary period expires, the Clerk will prepare a resolution to set a public hearing on said proposed vacation to be presented to the City Council. The director of urban development and planning, the city engineer, and the city traffic engineer, or their respective designees, may attend the public hearing and shall be entitled to speak and respond to any council inquiries on the issue. They shall also be entitled to make known to the council either in person or by correspondence their comments and recommendations made in regard to the proposed vacation.

(2). The public hearing shall be scheduled within 100 days from the date that the written petition is completed and deemed submitted. Notice of the hearing shall be provided as set out in Section 36-25A-3 of the Code of Alabama for notice of meetings and shall describe the street, alley, or public way, or portion thereof, requested to be vacated in the petition. A copy of the notice shall also be served by U.S. Mail at least 30 days prior to the scheduled hearing to any owner identified in section A.(2.) hereof and to any entity known to have facilities or equipment such as utility lines, both above-ground or buried, within the public right-of-way of the street or alley, or portion thereof, requested to be vacated in the petition.

(3). In addition to the aforesaid notice provisions, two signs shall be conspicuously posted at the location of the street, alley, or public way, or portion thereof, requested to be vacated in the petition. The signs shall be plainly visible to passers-by and posted no less than 15 days before the day of the scheduled public hearing and shall remain so posted at all times until the hearing has been held. The signs shall be weatherproof and the petitioner shall be responsible for obtaining and posting such signs and providing photographic proof to the City Clerk that such signs were and remained posted as required herein. The wording on the signs shall not be less than two inches in height and shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

APPLICATION HAS BEEN MADE TO THE CITY OF MOBILE TO VACATE THE STREET, ALLEY OR PUBLIC WAY ABUTTING THIS PROPERTY. FOR MORE INFORMATION CALL THE MOBILE CITY CLERK'S OFFICE AT 251-208-7414.

(4). The person(s) who submitted the petition shall pay all costs of scheduling the public hearing and providing notice thereof, including the costs of advertisement, mailing, and posting the signs required by this section. The Clerk shall submit an invoice to the petitioner for such costs which must be paid prior to the scheduling of such hearing. Failure to pay such costs shall constitute a withdrawal of the petition unless the City Council grants a waiver of this requirement.

(D). CRITERIA AND CONDITIONS OF VACATION.

(1). The City Council may consider in regard to any proposed vacation the present and long term effects on existing utilities, proposed utilities, master traffic plan, traffic patterns,

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traffic counts, reasonable and convenient ingress and egress, public services, and any other factor deemed relevant by the City Council.

(2). Any vacation may be subject to reservation of easements and rights-of-way for utilities or conditioned upon easements or rights-of-way being granted or reserved to the City of Mobile, or other conditions, in the discretion of the City Council.

(3). Any entities with utility lines, equipment or facilities in place shall continue to have the rights set forth in Code of Alabama § 23-4-20(f), as same now exists or may hereafter be amended.

(4). No vacation of any street, alley, or dedicated public way shall deprive other property owners of any right they may have to convenient and reasonable means of ingress and egress to and from their property, and if that right is not afforded by the remaining streets, alleys, or dedicated public ways, then another street, alley, or dedicated public way affording such right must be dedicated as may be required by applicable State law.

(5). The City Council further reserves its rights to close or vacate any street, alley or public way by its own action pursuant to its inherent and statutory police and other powers.

(6). Partial vacations may be approved but are not favored. Partial vacations of any alley will not be allowed without the notarized written consent of all owners of property that abut the entire length of the alley.

(E). PAYMENT OF FEES.

(1). It shall be the policy of the City Council to require abutting landowners who will benefit directly from the vacation of a road, street, alley, or other dedicated public way, open or unopen, to pay to the City a fee in accordance with Section 11-49-6 of the Code of Alabama.

(2). The fee shall be equal to the fair market value of the land which will be added to the holdings of the abutting landowners who will directly benefit from the vacation, as determined in accordance with Section 11-49-6.

(3). If the aggregate fee for all lots or tracts of abutting landowners who will directly benefit from the vacation, as determined in accordance with Section 11-49-6, is less than \$5,000.00, then no fee shall be required.

(4). If the aggregate fee for all lots or tracts of abutting landowners who will directly benefit from the vacation, as determined in accordance with Section 11-49-6, is equal to or greater than \$5,000.00, then the fee shall be finally determined and assessed by the City Council after a public hearing, notice of which shall be published and mailed in accordance with the requirements of Section 11-49-6 of the Code of Alabama.

(5). The Council may, in its discretion, waive any fee as it determines to be justified or warranted under the circumstances presented.

(F). COMPLETION OF PROCESS.

Once all fee(s) and cost(s) have been paid, and any other conditions of the vacation have been met, and if the City Council has approved the petition for vacation, the person(s) who submitted the petition for vacation will receive a certified copy of the Council's resolution to be filed by them together with the declaration of vacation in the Office of the Judge of Probate of Mobile County.

SECTION TWO. SEVERABILITY.

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

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SECTION THREE. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its adoption and publication as required by law, provided, however, that this Ordinance shall not be applicable to any petitions for vacation duly filed with the City Clerk prior to the effective date hereof.

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 Councilmember Rich the vote was as follows:

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

Nays: None

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

STATE OF ALABAMA)

COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. - Series 2020 was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on, .

IN WITNESS WHEREOF, I have hereunto set my hand on this _____ day of _____, 2020.

Lisa C. Lambert

City Clerk

ORDINANCE TO REZONE PROPERTY LOCATED ON THE SOUTH SIDE OF TENNESSEE STREET, 200' + EAST OF SOUTH SCOTT STREET, FROM R-2 TO B-2 (DISTRICT 3). The following ordinance, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

ORDINANCE: 64-030-2020

Sponsored by: Councilmember Small

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:

LOTS 9 – 14, BLOCK 1, OAKDALE SUBDIVISION AS RECORDED IN DEED BOOK 156
N.S PAGES 458 – 459, PROBATE COURT RECORDS, MOBILE ALABAMA.

The classification of said property is hereby changed from R-2, Two-Family Residence 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 an 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

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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 an B-2, Neighborhood Business District, until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and 2) full compliance with all municipal codes and ordinances.

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

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

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. - Series 2020 was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on, .

IN WITNESS WHEREOF, I have hereunto set my hand on this _____ day of _____, 2020.

Lisa C. Lambert

City Clerk

REZONE PROPERTY LOCATED AT 5535 LINWOOD STEINER ROAD AND 5575 U.S. HIGHWAY 90 WEST (EAST SIDE OF LINWOOD STEINER ROAD/U.S. HIGHWAY 90 WEST, 100' + NORTH OF KOOIMAN ROAD, 200' + EAST OF U.S. HIGHWAY 90 WEST) FROM B-3 AND B-5 TO B-3 (DISTRICT 4). The following ordinance, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

ORDINANCE: 64-031-2020

Sponsored by: Councilmember Williams

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:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 15 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA, SAID PARCEL BEING PART OF LOT 4 HIGHWAY 90 BUSINESS PARK SUBDIVISION, MAP BOOK 119, PAGE 112 IN THE OFFICE OF THE JUDGE OF PROBATE MOBILE COUNTY, ALABAMA, SAID PARCEL BEING MORE IN PARTICULARLY DESCRIBED AS FOLLOWS:

MINUTES OF SEPTEMBER 29, 2020

BEGIN AT A FOUND 5/8" CAPPED REBAR MARKING THE SOUTHWEST CORNER OF LOT 4 HIGHWAY 90 BUSINESS PARK SUBDIVISION AS RECORDED IN MAP BOOK 119 PAGE 112 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA, SAID POINT LYING ON THE NORTHERN-MOST RIGHT OF WAY OF KOOIMAN ROAD (60 FOOT ROW); THENCE LEAVING SAID RIGHT OF WAY LINE RUN NORTH 05 DEGREES 38 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 80.26 FEET TO FOUND 1/2 INCH CAPPED REBAR; THENCE RUN NORTH 84 DEGREES 21 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 200.05 FEET TO A FOUND 1/2 INCH CAPPED REBAR SAID POINT LYING ON THE EASTERN-MOST RIGHT OF WAY OF U.S. HIGHWAY 90 (100 FOOT ROW); THENCE RUN NORTH 05 DEGREES 32 MINUTES 07 SECONDS EAST ALONG SAID RIGHT OF WAY LINE FOR A DISTANCE OF 200.18 FEET TO A FOUND 1/2 INCH CAPPED REBAR SAID POINT LYING ON THE SOUTHERN-MOST RIGHT OF WAY OF WILLS ROAD (ROW VARIES); THENCE LEAVING SAID RIGHT OF WAY OF U.S. HIGHWAY 90 RUN NORTH 73 DEGREES 56 MINUTES 32 SECONDS EAST ALONG SAID RIGHT OF WAY OF WILLS ROAD FOR A DISTANCE OF 119.87 FEET TO A FOUND 1/2 INCH CAPPED REBAR SAID POINT LYING ON THE EASTERN-MOST RIGHT OF WAY OF WILLS ROAD; THENCE LEAVING SOUTHERN-MOST RIGHT OF WAY . OF WILLS ROAD RUN NORTH 05 DEGREES 35 MINUTES 12 SECONDS EAST ALONG SAID EASTERN-MOST RIGHT OF WAY FOR A DISTANCE OF 196.85 FEET TO SET 5/8 INCH CAPPED REBAR STAMPED CA-560LS; THENCE LEAVING SAID RIGHT OF WAY RUN NORTH 89 DEGREES 54 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 500.00 FEET TO A SET 5/8 INCH CAPPED REBAR STAMPED CA-560LS; THENCE RUN SOUTH 01 DEGREES 53 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 530.00 FEET TO A SET 5/8 INCH CAPPED REBAR STAMPED CA-560LS SAID POINT LYING ON THE NORTHERN-MOST RIGHT OF WAY OF KOOIMAN ROAD (60 FOOT ROW); THENCE RUN NORTH 89 DEGREES 51 MINUTES 42 SECONDS WEST ALONG SAID RIGHT OF WAY LINE FOR A DISTANCE OF 445.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 290,628 SQUARE FEET OR 6.67 ACRES, MORE OR LESS.

The classification of said property is hereby changed from B-3, Community Business District and B-5, Office-Distribution District to B-3, Community Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of 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 an B-3, Community Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any 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 an B-3, Community Business District, until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and 2) full compliance with all municipal codes and ordinances.

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

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

STATE OF ALABAMA)
COUNTY OF MOBILE)

MINUTES OF SEPTEMBER 29, 2020

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. - Series 2020 was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on, .

IN WITNESS WHEREOF, I have hereunto set my hand on this _____ day of ,
2020.


City Clerk

APPROVE PURCHASE ORDER TO C L DEWS & SONS FOUNDRY & MACHINERY CO. FOR MANHOLE COVERS, \$18,736.00. The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-672-2020

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>13867</u>	2020	(2086B) CONCRETE/CAVE IN	IRON FRAMES, GRATES, MANHOLE COVERS (SEALED BID 5461)	\$18,736.00	<u>(045095) C. L. DEWS & SONS FOUNDRY AND MACHINERY CO</u>

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.

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.

APPROVE PURCHASE ORDER TO CALAGAZ PHOTO SUPPLY INC. FOR 8 CAMERAS FOR THE POLICE DEPARTMENT, \$23,975.60. The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

MINUTES OF SEPTEMBER 29, 2020

RESOLUTION: 08-673-2020
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>13867</u>	2020	(1530) POLICE ADMIN SERVICES	8 NIKON D850 DLSR CAMERAS (SEALED BID 5462)	\$23,975.60	<u>(030500)</u> <u>CALAGAZ PHOTO</u> <u>SUPPLY INC</u>

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.

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.

APPROVE PURCHASE ORDER TO REEL-SCOUT INC. FOR FILM OFFICE MANAGEMENT SOFTWARE, \$31,980.00. The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-674-2020
Sponsored by: Mayor Stimpson

MINUTES OF SEPTEMBER 29, 2020

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>13821</u>	2020	(4510) FILM OFFICE	FILM OFFICE LOCATION MANAGEMENT SOFTWARE – SETUP PLUS ONE YEAR SUBSCRIPTION (SEALED BID 5463)	\$31,980.00	<u>(296801) REEL- SCOUT INC</u>

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.

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.

APPROVE PURCHASE ORDER TO FEDERAL RESOURCES SUPPLY COMPANY FOR ONE BOMB SUIT FOR THE POLICE DEPARTMENT, \$36,850.00. The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-675-2020

Sponsored by: Mayor Stimpson

MINUTES OF SEPTEMBER 29, 2020

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>14052</u>	2020	(1530) POLICE ADMIN SERVICES	ONE EOD 10 BOMB SUIT (SEALED BID 5452)	\$36,850.00	(293195) <u>FEDERAL RESOURCES SUPPLY COMPANY</u>

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.

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.

APPROVE PURCHASE ORDER TO UJ CHEVROLET CO. INC. FOR TWO 15 PASSENGER VANS FOR THE MOTOR POOL, \$57,384.00. The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-676-2020

Sponsored by: Mayor Stimpson

MINUTES OF SEPTEMBER 29, 2020

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>14778</u>	2020	(F7000) MOTOR POOL	2 2021 CHEVROLET EXPRESS 15 PASSENGER VAN (SEALED BID 5457)	\$57,384.00	<u>(210000) U J CHEVROLET CO INC</u>

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.

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.

APPROVE PURCHASE ORDER TO MASIMO AMERICAS INC. FOR WARRANTY PROTECTION FOR 52 RAD-57 OXIMETERS, \$36,244.00. The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-677-2020
Sponsored by: Mayor Stimpson

MINUTES OF SEPTEMBER 29, 2020

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>16091</u>	2020	(1510) FIRE ADMINISTRATION	3-YEAR WARRANTY PROTECTION FOR 52 RAD-57 OXIMETERS (SOLE SOURCE)	\$36,244.00	(280710) <u>MASIMO AMERICAS INC</u>

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.

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.

AUTHROIZE CONTRACT WITH CINTAS CORPORATION NO. 2 FOR UNIFORM AND SUPPLY RENTAL SERVICES – VARIOUS DEPARTMENTS, \$12,000 PER MONTH. The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-678-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Cintas Corporation No. 2, in the amount of approximately \$12,000 per month, for one year, renewable for two additional one year periods without further Council action, for uniform and equipment rental services as needed and 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.

MINUTES OF SEPTEMBER 29, 2020

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 DEEDS FOR THE ACQUISITION OF PROPERTY FOR THE MCGREGOR AVENUE WIDENING PROJECT (DAUPHIN STREET TO AIRPORT BOULEVARD), \$30,200.00. The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 23-693-2020

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 hereby are, authorized to accept Deeds for the acquisition of right-of-way tracts for City Engineering Project No. 2013-202-07; ALDOT Project No. STPMB-7508(600) McGregor Avenue Widening from Dauphin Street to Airport Boulevard as set out in the instruments attached hereto for the price of \$30,200.00.

Said property is being conveyed to the City of Mobile in accordance with that certain Agreement for Right-of-Way Acquisition between the State of Alabama ("ALDOT") and the City of Mobile as adopted by Resolution #01-290 on July 31, 2012.

Be it resolved that the Executive Director of Finance be and is authorized and directed to request acquisition funds from ALDOT in the amount of the sales price less prorated share of property taxes payable to Jones Walker, LLP.

Be it further resolved that the City Engineer and/or Deputy Director of Real Estate Asset Management of the City of Mobile is hereby authorized and directed to execute for and in the name and on behalf of the City of Mobile what ever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

Be it finally 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.

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.

ASSENT TO THE VACATION OF A 5' STRIP OF LAND ADJACENT TO LOT 4B, WALKER'S ADDITION TO BRAWOOD (DISTRICT 7). The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 47-702-2020

Sponsored by: Councilmember Gregory

MINUTES OF SEPTEMBER 29, 2020

WHEREAS, MATTHEW B. WALKER, JR., ("Petitioner"), is the owner of certain lands which abut a portion of a right of way situated in the City of Mobile, Alabama, hereinafter described, and on which part of the residence and driveway encroach;

WHEREAS, Petitioner has filed a Petition with the City Council of the City of Mobile (the "City Council") requesting that the City Council adopt a resolution to vacate a portion of said right of way on;

WHEREAS, it has been shown to the satisfaction of the City Council that Petitioner is the sole property owner abutting said City of Mobile right of way, that the same is not needed as a right of way in the City of Mobile, Alabama, that the vacation of same will not deprive any other property owner a right to convenient and reasonable ingress and egress to and from any other property, and that it would be to the best interest of the City Council to vacate the same;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL that its assent be and it is hereby given to Matthew B. Walker, Jr., to the vacation and closing by them of the portion of the right of way of the City of Mobile, Alabama more particularly described as follows:

Beginning at the Southeasternmost corner of Lot 4B, Walker's Addition to Brawood, as recorded in Map Book 86, Page 83, Probate Court Records, Mobile County, Alabama, run North 90°-00'-00" East and along a projection of the South line of said Lot 4B, a distance of 5.07 feet; thence North 09°-13'-38" West, 51.91 feet; thence North 34°-05'-00" West, 91.34 feet; thence North 57°-15'-33" West, 139.77 feet; thence South 32°-44'-27" West, 5.0 feet to the Northeasternmost corner of said Lot 4B; thence South 57°-15'-33" East and along the Eastern line of said Lot 4B, a distance of 138.74 feet; thence South 34°-05'-00" East and along said Eastern line, 89.21 feet; thence South 09°-13'-38" East and along said Eastern line, 50 feet to the point of beginning. Said property contains 1,402 square feet or 0.03 acres.'

BE IT FURTHER RESOLVED by the City Council, that its assent be and the same is hereby given to vacate and annul the herein described portion of said right of way located in Mobile, Alabama, subject, however, to the following conditions:

(a) The declaration of vacation and this resolution assenting to the vacation of said property, upon adoption by the City Council, be recorded in the Probate Court of Mobile County, Alabama, and a certified copy of the resolution shall be immediately delivered to the Tax Assessor's Plat Room so that this property may be reassessed in the name of Petitioner;

(b) Alabama Power Company is reserved all rights and privileges necessary and convenient for full enjoyment of use of its facilities within and adjacent to the area to be vacated; including the right of ingress and egress to and from said facilities, the right to cut and/or trim trees/limbs which, in their sole opinion would interfere with said facilities, and the right to prohibit use of the land vacated in a manner which violates the National Electric Safety Code;

(c) AT&T is reserved the right to place poles, wires, antennas, equipment, cable or conduit for communications, or electric power transmission or distribution and ingress and egress in and to the area to be vacated; with the right to relocate facilities, systems or services thereon to conform to future highway relocation, widening or improvements.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be held over until the regular meeting of October 20, 2020, which was seconded by Councilmember Rich and the vote was as follows:

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

Nays: None

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

AUTHORIZE CONTRACT WITH YOUNGBLOOD-BARRETT CONSTRUCTION & ENGINEERING, LLC FOR DOG RIVER PARK – IMPROVEMENTS PHASE 3, \$428,628.00. The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-704-2020

Submitted 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 an on behalf of the City of Mobile, a Contract, that is necessary to perform essential minimum functions of the Council, 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: Youngblood-Barrett Construction & Engineering, LLC

Project Name: Dog River Park – Improvements Phase 3

Project Number: PR-043-20

Amount: \$428,628.00

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.

AUTHORIZE CONTRACT WITH HARRIS CONTRACTING SERVICES, INC FOR JOE BAILEY PARK – WALKING TRAIL LIGHTING & SITE IMPROVEMENTS, \$568,164.00. The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-705-2020

Submitted 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 an on behalf of the City of Mobile, a Contract, that is necessary to perform essential minimum functions of the Council, 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: Harris Contracting Services, Inc

Project Name: Joe Bailey Park – Walking Trial Lighting & Site Improvements

Project Number: PR-022-20

MINUTES OF SEPTEMBER 29, 2020

Amount: \$568,164.00

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.

AUTHORIZE CONTRACT WITH AEIKER CONSTRUCTION CORPORATION FOR LANGAN PARK – DRAINAGE IMPROVEMENTS-PLAYGROUND AREA, \$273,800.00.

The following resolution, which was introduced and read at the regular meeting of September 22, 2020, and held over until the regular meeting of September 29, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-706-2020

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 an on behalf of the City of Mobile, a Contract, that is necessary to perform essential minimum functions of the Council, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: Aeiker Construction Corporation

Project Name: Langan Park – Drainage Improvements – Playground Area

Project Number: PR-066-18

Amount: \$273,800.00

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.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF ESSENTIAL/COVID-19 ITEMS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Daves moved for the suspension of the rules to consider Essential/Covid-19 items 03-709 & 03-710, 09-714 & 09-715, 31-717, 40-720 – 60-730, 60-733 - 60-739, being introduced for the first time, the motion was seconded by Councilmember Williams 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.

MINUTES OF SEPTEMBER 29, 2020

ESSENTIAL/COVID19 ITEMS BEING INTRODUCED:

ORDINANCE TO ESTABLISH SALARIES FOR CITY OF MOBILE ELECTED OFFICIALS FOR THE TERM BEGINNING NOVEMBER, 2021. The following ordinance was held over until the regular meeting of October 6, 2020.

ORDINANCE: 02-032-2020

Sponsored by: Councilmember Daves

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

Section 1: That the salary of the Mayor of the City of Mobile, Alabama, is hereby established and fixed at the sum of \$125,000.00 per annum.

Section 2: That the salary for each member of the City Council of Mobile, Alabama, is hereby established and fixed at the sum of \$2,050.00 per month plus the sum of \$300.00 for each meeting of the Council attended. The President of the Council, in addition to his or her compensation as a Council Member, shall receive a stipend of \$500.00 per month. The Council members shall also each receive a \$325.00 per month flat rate expense account for routine local expenses.

Section 3: Miscellaneous Provisions:

(A) Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

(B) General Repealer. Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

(C) Effective Date. This ordinance shall become effective on the first Monday in November, 2021.

RE-APPOINT JOHN C. WILLIAMS TO THE MOBILE SPORTS AUTHORITY. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-709-2020

Sponsored by: Councilmember Williams

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that John C. Williams is hereby re-appointed to the Mobile Sports Authority for a term effective November 30, 2020, and ending November 30, 2023.

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

APPOINT HARRIS OSWALT TO THE MOBILE LIBRARY BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-710-2020

Sponsored by: Councilmember Daves

MINUTES OF SEPTEMBER 29, 2020

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Harris Oswalt is appointed to fill an un-expired term to the Mobile Library Board effective immediately for a term ending September 30, 2022.

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.

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

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

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

APPROVE PURCHASE ORDER TO DRAEGER INC. FOR EXTERIOR LIVE FIREFIGHTING TRAINING SYSTEM, \$74,465.00. The following resolution was held over until the regular meeting of October 6, 2020.

RESOLUTION: 08-711-2020

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>14723</u>	2020	(1510) FIRE ADMINISTRATION	EXTERIOR LIVE FIREFIGHTING TRAINING SYSTEM, INCLUDING BASE UNIT AND SCENARIO PROPS (SEALED BID 5459)	\$74,465.00	(272932) CDW GOVERNMENT LLC

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.

APPROVE PURCHASE ORDER TO TARGETSOLUTIONS FOR ANNUAL LICENSE RENEWAL FOR TRAINING, WORKFORCE MANAGEMENT AND EQUIPMENT INSPECTION SOFTWARE, \$47,241.67. The following resolution was held over until the regular meeting of October 6, 2020.

RESOLUTION: 08-712-2020

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>15383</u>	2020	(1510) FIRE ADMINISTRATION	ANNUAL LICENSE RENEWAL FOR TRAINING, WORKFORCE MANAGEMENT AND EQUIPMENT INSPECTION SOFTWARE (SOLE SOURCE, CUSTOM SOFTWARE & PROF SERVICE)	\$47,241.67	(295075) <u>TARGETSOLUTIONS</u>

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.

APPROVE PURCHASE ORDER TO SUNSOUTH LLC FOR TWO JOHN DEERE TRACTORS FOR PARKS MAINTENANCE, \$95,800.00. The following resolution was held over until the regular meeting of October 6, 2020.

RESOLUTION: 08-713-2020
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>15383</u>	2020	(2012) PARKS MAINTENANCE	2 JOHN DEERE 509M TRACTORS (SEALED BID 5469)	\$95,800.00	(291912) <u>SUNSOUTH LLC</u>

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.

RE-ALLOCATE \$15,000.00 FROM THE MAYOR'S DISCRETIONARY FUNDS FY'20 OPERATING ACCOUNT TO CAPITAL PROJECT (C0496) FOR PARKWAY SENIOR CENTER IMPROVEMENTS FOR REPLACEMENT OF ENTRANCE DOORS, PLUMBING

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FIXTURES AND EQUIPMENT/FURNISHINGS. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 09-714-2020

Sponsored by: Councilmember Small and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as is necessary to perform essential minimum functions of the Council, that the sum of \$15,000 be re-allocated from the Mayor's Discretionary Funds (10040580-42080) to Capital Project (C0496) Parkway Senior Center Improvements, for replacement of entrance doors, plumbing fixtures and equipment/furnishings.

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

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

Nays: None

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

RE-ALLOCATE \$8,000 OF UNUSED OPERATING FUNDS FOR THE COPELAND-COX TENNIS CENTER TO CO517 FOR A NEW SERVICE BUILDING/SHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 09-715-2020

Sponsored by: Councilmember Gregory and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that, in order to perform essential minimum functions of the Council, it is necessary to re-allocate the sum of \$8,000.00 from the City of Mobile, Alabama Tennis Center Dues and Subscriptions Operating Account (61106110-42110) to Public Facility Improvement Capital Project (CO517), for the purchase and installation of a New Service Building/Shed to house tournament registration and other uses at the Copeland-Cox Tennis Center.

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

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

Nays: None

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

AUTHORIZE CONTRACT WITH TRANE U.S. INC. FOR AHU 3 VAV CLEAN-OUT-GULF COAST EXPLOREUM; \$16,550.00 (20002000-42150); MP-143-20. The following resolution was held over until the regular meeting of October 6, 2020.

RESOLUTION: 21-716-2020

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 off of the City Clerk.

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Name of Company: TRANE U.S. INC.

Project Name: GULF COAST EXPLOREUM
AHU 3 VAV CLEAN-OUT

Project Number: MP-143-20

Amount: \$16,550.00

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.

AMEND THE HUD PY 2020 ACTION PLAN-ESG TO ALLOCATE ADDITIONAL CARES ACT FUNDING. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-717-2020

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile receives grant funds from the United States Department of Housing and Urban Development (HUD) Emergency Solutions Grant (ESG) Program, under the Stewart B. McKenney Vento Homeless Assistance Act of 1987, as amended by The Homeless Emergency and Rapid Transition to Housing (HEARTH) Act, and the Stewart B. McKinney Homeless Assistance Amendments Act, and the Cranston-Gonzalez National Affordable Housing Act of 1990 for the provision of services for the homeless population; and

WHEREAS, HUD allocated additional funds to the City provided by the CARES Act (Public Law 116-136) for eligible activities within the ESG program to respond to, prepare for, and prevent coronavirus;

WHEREAS, the City Council of the City of Mobile, Alabama, finds that the subject of this Resolution is either necessary to respond to COVID-19, or necessary to perform essential minimum functions of the Council.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the 2020 Action Plan is amended in accordance with the table below to reflect the additional allocation of funds:

Emergency Solutions Grant-Coronavirus Response (ESG-CV)
HUD Category

Administration (City of Mobile)	Administration	\$203,891
Legal Services of Alabama	Homeless Prevention/Rapid Rehousing	\$1,505,024
Penelope House	Homeless Prevention/Rapid Rehousing	\$330,000

TOTAL ANTICIPATED ESG-CV FUNDING \$2,038,915

BE IT FURTHER RESOLVED that the Mayor, or his designee, is directed and authorized to act on behalf of the City of Mobile in the filing of the Amendment to the 2020 Action Plan with HUD, and that this authorization extends to the execution of all required certifications, agreements, and loan documents as well as all other actions required by said federal funds.

A copy of this Amendment shall remain on file in the office of the City Clerk.

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

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

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

AMEND THE HUD FY 2020 ACTION PLAN-CDBG TO ALLOCATE ADDITIONAL CARES ACT FUNDING. The following resolution was held over until the regular meeting of October 6, 2020.

RESOLUTION: 31-718-2020

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile receives grant funds from the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG), Program, under Title I of the Housing and Community Development Act of 1974 as amended. The CDBG Program is designed to develop viable communities by providing decent housing, a suitable living environment, and expanded economic opportunities; and

WHEREAS, HUD allocated additional funds to the City provided by the CARES Act (Public Law 116-136) for eligible activities within the CDBG program to respond to, prepare for, and prevent coronavirus;

WHEREAS, the City Council of the City of Mobile, Alabama, finds that the subject of this Resolution is either necessary to respond to COVID-19, or necessary to perform essential minimum functions of the Council.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the 2020 Action Plan is amended in accordance with the table below to reflect the additional allocation of funds:

Community Development Block Grant-Coronavirus Response (CDBG-CV)
HUD Category _____

Administration (City of Mobile)	Administration	\$284,000
Scattered Site Single Family Rehabilitation of Vacant Abandoned Housing for Low/Mod Use	Low/Mod Housing	\$1,136,982

TOTAL ANTICIPATED ESG-CV FUNDING \$1,420,982

BE IT FURTHER RESOLVED that the Mayor, or his designee, is directed and authorized to act on behalf of the City of Mobile in the filing of the Amendment to the 2020 Action Plan with HUD, and that this authorization extends to the execution of all required certifications, agreements, and loan documents as well as all other actions required by said Federal funds.

A copy of this Amendment shall remain on file in the office of the City Clerk.

REVOKE BUSINESS LICENSE HELD BY DEEP WATER MARKETING FOR ROOMING/BOARDING HOUSES AT 259, 261 & 263 SOUTH BROAD STREET. The following resolution was held over until the regular meeting of October 6, 2020.

RESOLUTION: 37-719-2020

Sponsored by: Councilmember Manzie

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WHEREAS, on August 25, 2020, the City Council of the City of Mobile (the "Council") adopted Resolution 41-641 setting a public hearing on September 15, 2020, at 10:30 a.m. to consider the revocation of the City of Mobile business license of Deep Water Marketing, LLC, for certain rooming/boarding houses located at 259, 261 and 263 South Broad Street, Mobile, Alabama, for allegedly violating the laws and ordinances of the City; and,

WHEREAS, Resolution 41-641 was personally served on Deep Water Marketing, LLC, c/o Randall Warren Pitre on August 26, 2020, which was at least ten (10) days prior to the scheduled hearing; and,

WHEREAS, the public hearing scheduled for September 15, 2020, was rescheduled to September 17, 2020, at 10:30 a.m. due to the imminent landfall of Hurricane Sally in coastal Alabama on or about September 15-16, 2020; and,

WHEREAS, the rescheduled public hearing set for September 17, 2020, had to again be rescheduled to September 22, 2020, at 10:30 a.m. due to the effects of Hurricane Sally on the Mobile area; and,

WHEREAS, pursuant to the State Public Health Emergency that has been declared due to the COVID-19 pandemic and authority set forth in the subsequent Proclamations issued by Alabama Governor Kay Ivey related to same, the public hearing scheduled pursuant to Resolution 41-641 came on for hearing on September 22, 2020, at 10:30 a.m. via Zoom video conference and corresponding broadcast via YouTube video service; and,

WHEREAS, at said hearing City Attorney Ricardo Woods appeared and presented testimony and documentary evidence to support the proposed revocation of the business license of Deep Water Marketing, LLC, for the rooming/boarding houses located at 259, 261 and 263 South Broad Street, Mobile, Alabama, the documentary evidence consisting of a report titled "Pending Summary" outlining police calls for service to said locations occurring between October 19, 2019, and August 19, 2020, together with the affidavit of Mobile Police Sergeant Patrick Sanders focusing on police calls to 261 South Broad Street, Mobile, Alabama; and,

WHEREAS, at said hearing the owner of Deep Water Marketing, LLC, Mr. Randall Warren Pitre, and his attorney, William M. Lyon, Jr., Esq., both appeared and presented testimony and documentary evidence in opposition to the proposed revocation of the business license of Deep Water Marketing, LLC, for the rooming/boarding houses located at 259, 261 and 263 South Broad Street, Mobile, Alabama, the documentary evidence consisting of a 49-page indexed submission of various information and a supplemental submission containing the name of a person that had been arrested and charged with murder; and,

WHEREAS, at said hearing no other persons appeared to testify or submit evidence either in support of or in opposition to said proposed revocation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mobile, Alabama, as follows:

1. That the matters and facts set forth in the foregoing portion of this Resolution are incorporated herein and made part hereof by reference.

2. That Deep Water Marketing, LLC, as owner and operator of the rooming/boarding houses business located at 259, 261 and 263 South Broad Street, Mobile, Alabama, has knowingly suffered to be violated penal ordinances of the City of Mobile and/or criminal laws of the State of Alabama in violation of Section 34-64 of the Mobile City Code, 1991, at said locations based on the evidence and testimony presented at the public hearing in this matter on September 22, 2020, including, but not being limited to, the following:

a. Between October 19, 2019, and August 19, 2020, there were five (5) police calls to the rooming/boarding house at 259 S. Broad Street, Mobile, Alabama, two (2) of which were for the criminal acts of harassment;

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b. Between October 19, 2019, and August 19, 2020, there were four (4) police calls to the rooming/boarding house at 261 S. Broad Street, Mobile, Alabama, one (1) of which was for the crime of the murder of Maurice Timmons that occurred in August, 2020;

c. Between October 19, 2019, and August 19, 2020, there were forty-six (46) police calls to the rooming/boarding house at 263 S. Broad Street, Mobile, Alabama, including calls for the crimes of disorderly conduct, unauthorized use of a vehicle and trespassing;

d. That Randall Warren Pitre, owner of Deep Water Marketing, LLC, acknowledged that there had been various police calls to the said rooming/boarding houses and that some of the calls were initiated by him, and testified that it is taking a while to change the culture at these rooming/boarding houses;

e. That Randall Warren Pitre, owner of Deep Water Marketing, LLC, stated that he owns other rental properties and that during the same time frame in question there had been no police calls to his other properties or to his own personal residence.

3. That the operation of the rooming/boarding houses at 259, 261 and 263 South Broad Street, Mobile, Alabama, has led to or resulted in the creation of a nuisance; has created, caused or led to circumstances that are detrimental to adjacent residential neighborhoods; and has created, caused or led to circumstances that are detrimental to the public health, safety or welfare.

4. And that, therefore, the City of Mobile Business License held by Deep Water Marketing, LLC, a/k/a Deep Water Properties, for and applicable to the rooming/boarding houses located at 259, 261 and 263 South Broad Street, Mobile, Alabama, is hereby revoked, effective immediately.

5. Further, that the subject of this Resolution is within the City Council's authority and is necessary to perform essential minimum functions of the City Council.

DECLARE THE STRUCTURE AT 2451 MCARTHUR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-720-2020

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 2451 MCARTHUR STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 2451 MCARTHUR STREET as:

LOTS 70 & 71 BLK 2 1ST EXT ST STEPHENS HIGHLANDS MBK 3 P 675 #SEC 44 T4S R1W #MP29 02 44 0 009

Parcel Number: 29 02 44 0 009 235

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Last Assessed to: MARION MONIQUE MICHELLE

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

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

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

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

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

DECLARE THE STRUCTURE AT 75 N. SAGE AVENUE A PUBLIC NUISANCE AND ORDER IT SECURED/DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-721-2020

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 75 N. SAGE AVENUE has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 6 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 75 N. SAGE AVENUE as:

COM AT PT ON W/S OF SAGE AV 1189.50 FT SLY FROM SW INT OF SAGE AVE & OLD SHELL RE WHICH PT IS WHERE N/L OF PPTY CONVEYED JULIUS M ZIMLICH & WIFE TO EMIL GRAF BY DEED DTD 10/16/29 DBK 224/291 INTERSECT W/L OF SAGE AVE & FROM SD PT RUN NLY ALG W/L OF SAGE AVE 260 FT TO POB OF PPTY HEREIN DESC TH RUN WLY & PAR TO N/L OF EMIL GRAF'S PPTY 150 FT TO A PT TH RUN NLY & PAR TO SAGE AVE 60 FT TO A PT TH RUN ELY & PAR TO EMIL GRAF'S PPTY 150 FT TO A PT SD PT BEING ON W/S OF SAGE AVE TH SLY ALG W/S OF SAGE AVE 60 FT TO POB #SEC 18 T4S R1W #MP29 08 18 3 001

Parcel Number: 29 08 18 3 001 052

Last Assessed to: GUARDIAN TAX AL LLC

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

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

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

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

Nays: None

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

DECLARE THE STRUCTURE AT 2061 TUCKER STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-722-2020

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 2061 TUCKER STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 6 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 2061 TUCKER STREET as:

LOT 4 RESUB OF GREERS SUB UNIT 2 MBK 13 P 35 #SEC 44 T4S R1W #MP29 02 44 0 024

Parcel Number: 29 02 44 0 024 288

Last Assessed to: AYLER ROBERT C II

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

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publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

Nays: None

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

DECLARE THE STRUCTURE AT 1506 DIAMOND DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-723-2020

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 1506 DIAMOND DRIVE has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 6 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 1506 DIAMOND DRIVE as:

S HALF OF LOT 68 UNIT 2 PARADISE PARK MBK 6 PG 281 #SEC 44 T4S R1W #MP29 02 44 0 012

Parcel Number: 29 02 44 0 012 283

Last Assessed to: JONES JIMMIE

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

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

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

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

Nays: None

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

DECLARE THE STRUCTURE AT 2734 JOSEPHINE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-724-2020

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 2734 JOSEPHINE STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 2734 JOSEPHINE STREET as:

FROM SW COR LOT 16 BLK A MILLVILLE SUB TH WLY ALG N/L OF JOSEPHINE ST 50 FT TO PT TH NLY AT RT ANG TO JOSEPHINE ST 103 FT TO PT ON N/L OF LOT 17 IN SAID SUB OF MILLVILLE DIV BLK A TH ELY 50 FT TO PT AT NW COR OF SAID LOT 16 RUN TH SLY ALG W/L OF SAID LOT 16 104 FT TO N/L OF JOSEPHINE ST & POB BEING VACATED ST & E 20 FT LOT 17 MILLVILLE SUB DBK 121/512 #SEC 17 T4S R1W #MP29 08 17 2 000

Parcel Number: 29 08 17 2 000 003

Last Assessed to: ROBINSON STEVEN DEREK

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

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

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

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

Nays: None

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

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DECLARE THE STRUCTURE AT 2306 DOG RIVER DRIVE N. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-725-2020

Sponsored by: Councilmember Williams

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 2306 DOG RIVER DRIVE N. 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, 6, 7, 8 and 15; and

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

NOW, THERFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 2306 DOG RIVER DRIVE N. as:

LOT 24 GULF MANOR FIRST ADD MBK 8 P 159 #SEC 34 T5S R1W #MP32 04 34 0 003

Parcel Number: 32 04 34 0 003 030

Last Assessed to: WARD WILLIAM J

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

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

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

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

Nays: None

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

DECLARE THE STRUCTURE AT 5620 PEARY ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-726-2020

Sponsored by: Councilmember Williams

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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 5620 PEARY 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, 6, 7, 8 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 5620 PEARY ROAD as:

BEG NE COR OF INT BELLINGRATH RD & PEARY RD TH NELY 234 FT-S- TO POB THE 218 FT- S- TH N 90 FT TH W 221 FT-S- TH S 90 FT-S- TO POB #SEC 03 T6S R2W #MP38 02 03 3 000

Parcel Number: 38 02 03 3 000 029

Last Assessed to: COULSON CHARLES

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

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

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

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

Nays: None

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

DECLARE THE STRUCTURE AT 4241 FURMAN DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-727-2020

Sponsored by: Councilmember Williams

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 4241 FURMAN DRIVE has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the

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structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 4, 6, 7, 8 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 4241 FURMAN DRIVE as:

LOT 189 EVERGREEN GARDENS UNIT 2 MBK 5 P 699 #SEC 24 T5S R2W #MP33 06 24 3 002

Parcel Number: 33 06 24 3 002 015

Last Assessed to: WALKER LINDA

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

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

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

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

Nays: None

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

DECLARE THE STRUCTURE AT 5630 HUNTER STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-728-2020

Sponsored by: Councilmember Williams

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 5630 HUNTER STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 5630 HUNTER STREET as:

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BEG AT SE COR LOT 3 RICHARD HUNTER SUB MBK 5 PG 164 100 FT TO BEG RUN N 100 FT TH W 50 FT TH S 100 FT TH E 50 FT TO BEG LESS & EXCEPT THAT PT INTO R/W OF HUNTER ST PER PROJECT #MCR -2004-309

Parcel Number: 38 02 10 2 000 123

Last Assessed to: WILLIAMS CLARENCE & CALENE

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

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

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

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

Nays: None

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

ASSESS COST FOR REMOVAL OF WEEDS, WEED LIEN GROUP 1605. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-729-2020

Sponsored by: Councilmembers Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

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

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

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

Section 1. The amount set opposite each described parcel of real property contained in exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as Weed Lien Group #1605 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.

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

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTER OF THE MONTH, KRYSTEN RICHARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-730-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 each to the following employee(s):

Firefighter Krysten Richard (Employee #17295)

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

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

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

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

APPROVE RECOMMENDATION TO SELL 2433 RIDGE ROAD N. The following resolution was held over until the regular meeting of October 6, 2020.

RESOLUTION: 60-731-2020

Sponsored by: Councilmember Richardson and Mayor Stimpson

WHEREAS, the City of Mobile owns 2433 Ridge Road North (the subject property), a vacant 800± square ft. building, located on a 6,200± square ft. parcel; and

WHEREAS, the City is not utilizing the property and the current zoning for the property is residential (R-1); and

WHEREAS, the City would benefit from a sale of the property under favorable terms and conditions;

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NOW, THEREFORE, the City Council of the City of Mobile hereby RESOLVES:

That it does not object to offering the subject property for sale. In the event that the City receives an offer to purchase under favorable terms and conditions, the purchase agreement will be presented to the Council for consideration, and the Council may, if it deems appropriate, adopt an ordinance declaring the property not needed for public purpose and authorizing the execution of the purchase agreement.

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.

URGE MAYOR TO PRESENT A CAPITAL BUDGET AMENDMENT WHICH DISTRIBUTES CAPITAL FUNDS EQUALLY AMONG ALL SEVEN COUNCIL DISTRICTS. The following resolution was held over until the regular meeting of October 6, 2020.

RESOLUTION: 60-732-2020

Sponsored by: Councilmembers Richardson and Rich

WHEREAS, Code of Alabama § 11-44C-93(3), being part of the Zoghby Act adopted in 1985, states as follows:

Within 30 days of taking office, the officials of the form of government chosen shall adopt an ordinance to require that all capital improvements and repairs made in the city shall be made on the basis of need and shall, as nearly as practicable, be fairly and equitably made in all districts of the city whether they be council or commission districts.

AND, WHEREAS, on November 6, 1985, in response to the Zoghby Act, the Mobile City Council adopted Ordinance No. 65-019, which is still in effect and now codified as Sec. 50-2 of the Mobile City Code, 1991, which states as follows:

All capital improvements and repairs made in the city shall be made on the basis of need and shall, as nearly as is practicable, be fairly and equitably made in all council districts in the city.

AND, WHEREAS, the Mayor of the City of Mobile has submitted, and the City has adopted, a 2020-2021 capital budget utilizing surplus funds which does not provide fair and equitable capital improvement funding for all council districts, most notably for parks in Districts 1 and 6.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mobile that the Mayor is hereby requested and urged to abide by the intentions of the Zoghby Act and City Code Sec. 50-2 and propose and present a capital budget amendment to the City Council for FY 2020-2021 which distributes capital funds as equally as possible among all seven council districts.

DETERMINE AN APPROPRIATION TO PENELOPE HOUSE, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$15,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-733-2020

Sponsored by: Councilmember Williams

WHEREAS, Councilmember Williams wishes to appropriate \$15,000.00 to Penelope House, Inc., from his discretionary funds; and

WHEREAS, Penelope House, Inc., is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Penelope House, Inc., will be used to assist with purchasing and installation of new playground equipment, which will serve a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$15,000.00 to Penelope House, Inc. for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

Nays: None

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

DETERMINE AN APPROPRIATION TO THE REGENCY OAKS HOA SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$10,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-734-2020

Sponsored by: Councilmember Williams

WHEREAS, Councilmember Williams wishes to appropriate \$10,000.00 to Regency Oaks HOA, from his discretionary funds; and

WHEREAS, Regency Oaks HOA, is a 501(c)(3) entity which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Regency Oaks HOA, will be used to assist with rebuilding a brick wall, landscaping improvement and storm clean up from Hurricane Sally, which will serve a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$10,000.00 to Regency Oaks HOA for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

Nays: None

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

TRANSFER MONIES FROM COUNCIL DISCRETIONARY ACCOUNTS TO CAPITAL ACCOUNTS. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 09-735-2020

Sponsored by: City Council

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA. that the ; following transfer, be made from the General Fund (Fund 1000) to the Capital Improvements; Fund (Fund 2000):

- Councilmember Fred Richardson - Transfer \$29,429.67 from the General fund 1 I District One Discretionary Account DSC-01 (10041020-42080) to District 1 Priority II Project/District 1 Capital Account #D0013,
- Councilmember Levon Manzie - Transfer \$17,328.00 from the General Fund District Two Discretionary Account DSC-02 (10041020-42200) to District 2 Priority I Project/District 2 Capital Account #D0014,
- Councilmember C. J. Small - Transfer \$3,000.00 from the General Fund District I Three Discretionary Account DSC-03 (10041020-42080) to Parks & Recreation. Revenue Account (10042033-42140) to assist the .Newhouse Teen Center for new computers.
- Councilmember, John Williams - Transfer \$2,187.25 from the General Fund District Four Discretionary Account DSC-04 (10041020-42080) to District 4 Priority Project/District 4 Capital Account #D0016,
- Councilmember Joel Daves - Transfer \$21,981.48 from the General Fund District Five Discretionary Account DSC-05 (10041020-42080) to District 5 Priority Project/District 5 Capital Account #00017,
- Councilmember Bess Rich - Transfer \$27,080.00 from the General Fund District 6 Discretionary Account DSC-06 (10041020-42080) to Capital Project #C0450. Funds to use for the Grelot Road Beautification Project, and
- Councilmember Gina Gregory- Transfer \$10,624.34 from the General Fund District Seven Discretionary Account DSC-07 (10041020-42080) to District 7 Priority Project/District 7 Capital Account #D0019

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

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

Nays: None

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

DETERMINE AN APPROPRIATION TO THE UNITED METHODIST INNER CITY MISSION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$7,500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-736-2020

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wishes to appropriate \$7,500.00 to United Methodist Inner City Mission of Mobile, Inc., from his discretionary funds; and

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WHEREAS, United Methodist Inner City Mission of Mobile, Inc., is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to United Methodist Inner City Mission of Mobile, Inc., will be used to assist with operating after-school tutorial/summer enrichment programs at Taylor Park for at-risk children from pre-kindergarten through the eighth grade, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$7,500.00 to United Methodist Inner City Mission of Mobile, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

Nays: None

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

DETERMINE AN APPROPRIATION TO THE AFRICATOWN COMMUNITY DEVELOPMENT CORPORATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$4,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-737-2020

Sponsored by: Councilmember Manzie

WHEREAS, Councilmember Manzie wishes to appropriate \$4,000.00 to Africatown Community Development Corporation, from his discretionary funds; and

WHEREAS, Africatown Community Development Corporation, is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Africatown Community Development Corporation will be used to continue our effort to eradicate the blight and promote both pride and ownership in our community, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$4,000.00 to Africatown Community Development Corporation for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

Nays: None

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

DETERMINE AN APPROPRIATION TO PALMER PILLANS MIDDLE SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$7,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-738-2020

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wishes to appropriate \$7,000.00 to Palmer Pillans Middle School, from his discretionary funds; and

WHEREAS, Palmer Pillans Middle School, is public middle school in Mobile, Alabama; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Palmer Pillans Middle School will be used for the resurfacing and renovation of the tennis courts, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$7,000.00 to Palmer Pillans Middle School for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same,

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

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

Nays: None

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

DETERMINE AN APPROPRIATION TO CRAIGHEAD ELEMENTARY SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$3,838.69. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-739-2020

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wishes to appropriate \$3,838.69 to Erwin Craighead Elementary School, from his discretionary funds; and

WHEREAS, Ervin Craighead Elementary School, is public middle school in Mobile, Alabama; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Erwin Craighead Elementary School will be used for their PPE - Personal Protected Equipment items (such as hand sanitizer, disinfecting wipes, masks, disinfecting spray, gloves and liquid soap) for the COVID-19, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$3,838.69 to Erwin Craighead Elementary School for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same.

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

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

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

ANNOUNCEMENTS:

Councilmember Gregory reminded citizens that the recycling center is still closed. Citizens may use the County recycling center on Hitt Road.

Councilmember Richardson announced the Entitlement Committee will meet on October 6, 2020, and the Public Safety Committee will meet on October 13, 2020, directly after the Council meetings.

Councilmember Richardson asked his colleagues to support Resolution 60-732.

Councilmember Williams reiterated that the U.S. Department of Commerce extended the deadline for the census until October 5, 2020.

Councilmember Williams asked citizens for patience with storm debris removal.

Councilmember Small reported that he visited the Parkway Senior Center to tour the status of renovations.

Councilmember Small announced that food boxes will be distributed October 30, 2020, from 9:00 a.m. – 12:00 p.m. at Stewart Memorial Christian Methodist Church, 1266 Martin Luther King, Jr. Avenue.

Councilmember Rich reminded citizens to call 311 or 208-5311 for debris pickup.

Councilmember Rich encouraged her colleagues to support Resolution 37-032.

Councilmembers Rich and Manzie asked that all citizens complete the census.

Councilmember Manzie reminded citizens of the mandate requiring face coverings and social distancing.

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

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

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

Adopted:

COUNCIL PRESIDENT

CITY CLERK