

MUNICIPAL BUILDING, MOBILE, ALABAMA, MARCH 7, 2023

The Council of the City of Mobile, Alabama, met in the City Council’s Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, March 7, 2023, at 9:00 a.m.

Councilmembers:

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

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, MARCH 7, 2023

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, March 7, 2023, at 10:30 a.m., for the regular meeting.

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

Pastor Dr. W. A. James, Grace and Truth Christian Fellowship Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: Councilmember Cory Penn asked for a moment of silence for the passing of his grandmother Luevenia B. Scott.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER

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

APPROVAL OF MINUTES

The minutes of the meetings of February 28, 2023, were approved as submitted.

MONTHLY FINANCE REPORTS

Robert Holt, Executive Director of Finance, presented the February 2023 finance report.

COMMUNICATIONS FROM THE MAYOR

James Barber, Chief of Staff, stated that Mayor Stimpson could not be present and he had no comments to present on his behalf.

MINUTES OF MARCH 7, 2023

ADOPTION OF THE AGENDA:

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

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

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

APPEALS

Request of Ultimate Audio Fabrication, LLC for a waiver of the Noise Ordinance at 3404 Moffett Road on April 7, 2023, from 6:00 p.m. – 9:00 p.m. (District 1).

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

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

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

Request of Christopher Carroll for a waiver of the Noise Ordinance at 253 Dexter Avenue on March 11, 2023, from 5:00 p.m.- 10:00 p.m. (District 2).

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

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

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

Request of O'Daly's Irish Pub for a waiver of the Noise Ordinance at 564 Dauphin Street on March 17, 2023, from 1:00 p.m. – 12:00 a.m. (District 2).

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

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

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

Request of The Insider Food Hall for a waiver of the Noise Ordinance at 4 N. Cedar Street on March 17, 2023, from 1:00 p.m. – 10:00 p.m. (District 2).

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

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

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

MINUTES OF MARCH 7, 2023

Request of Nathan Park for a waiver of the Noise Ordinance in Bienville Square on March 25, 2023, from 7:00 p.m. – 10:00 p.m. (District 2).

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

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

Nays: None

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

Request of Tex Phelps for a waiver of the Noise Ordinance at Spanish Plaza, Bienville Square, and Cathedral Square on April 7, 2023, from 9:00 a.m. – 12:00 p.m. (District 2).

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

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

Nays: None

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

PUBLIC HEARINGS

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 1459 MONTLIMAR COURT FROM B-2 AND B-3 TO B-3 (DISTRICT 5).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 1459 Montlimar Court from B-2 and B-3 to B-3 and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

AGENDA ITEMS:

Keith Blackwood, Mobile County District Attorney, 205 Government Street, offered comments in support of resolution 01-231.

NOTE: Mayor Stimpson announced that a new airline, Avelo, will start providing direct flights from the Mobile International Airport to Orlando International Airport, twice a week, and the inaugural flight will be on May 31, 2023.

NOTE: Mayor Stimpson read a proclamation declaring March 2023 as Youth Arts Month in Mobile.

NON-AGENDA ITEMS:

Pastor W. A. James, 1408 Dr. MLK, Jr. Avenue, offered comments regarding annexation.

Ryan McMillan, 109 S. Monterey Street, gave comments regarding abuse of power.

Thomas Mitchell, 109 S. Monterey Street, offered comments concerning City business and finance.

MINUTES OF MARCH 7, 2023

CIP RESOLUTIONS HELD OVER

AUTHORIZE CONTRACT WITH HARRIS CONTRACTING SERVICES, INC. FOR IMPROVEMENTS AT JAMES M. SEALS, JR. AND HACKMEYER PARKS; \$1,694,900.00. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-229-2023

Sponsored by: Mayor Stimpson and Councilmembers Carroll and Daves

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

Name of Company: HARRIS CONTRACTING SERVICES, INC.

Project Name: PR-041-20 JAMES M. SEALS JR PARK
ATHLETIC/CONCESSION & FIELD IMPROVEMENTS

PR-034-21 HACKMEYER PARK
IMPROVEMENTS PHASE 2

Amount: \$514,000.00 C0827 CIP #2022-P-039 D2

\$376,000.00 C0546 TIF

\$804,900.00 G0541 CIP#2021-P-046 D5

\$1,694,900.00 COMBINED TOTAL

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Jones and the vote was as follows:

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

Nays: None

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

RESOLUTIONS HELD OVER

AUTHORIZE AGREEMENT BETWEEN THE CITY OF MOBILE AND THE SOUTH ALABAMA REGIONAL PLANNING COMMISSION; NTE \$50,000.00. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-230-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with the South Alabama Regional Planning Commission to perform all necessary services provided under this contract for Parks and Recreation Department. The Planning Agency agrees to pay the contractor(The City of Mobile) as provided in the statement of work but in no event

MINUTES OF MARCH 7, 2023

shall exceed \$50,000.00 as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is necessary to perform essential minimum functions of the Council.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones and the vote was as follows:

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

Nays: None

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

AUTHORIZE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MOBILE AND THE MOBILE COUNTY DISTRICT ATTORNEY'S OFFICE. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-231-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Intergovernmental Agreement between the Mobile County District Attorney's Office and the City of Mobile, for the public purpose of providing funding assistance for crime investigation, prevention and prosecution in the Circuit Courts and District Courts of the 13th Judicial Circuit, and to perform all acts necessary as outlined in the Intergovernmental Agreement attached hereto and made a part hereof as though set forth in full. A copy of said Intergovernmental Agreement is on file in the office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones and the vote was as follows:

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

Nays: None

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

APPROVE PURCHASE ORDER TO DANA SAFETY SUPPLY, INC. FOR CHEVROLET TAHOES FOR MPD; \$117,630.00. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-232-2023

Sponsored by: Mayor Stimpson

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

MINUTES OF MARCH 7, 2023

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1492</u>	2023	(F7000) MOTOR POOL	UPFIT 15 ADMIN CHEVROLET TAHOE PPV SUVS FOR MPD (SEALED BID 5757)	\$117,630.00	<u>(290980) DANA SAFETY SUPPLY INC.</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

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

APPROVE PURCHASE ORDER TO LIFTNOW AUTOMOTIVE EQUIPMENT, CORP. FOR TIRE-CHANGING MACHINE FOR MUNICIPAL GARAGE; \$17,440.00. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-233-2023

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>609</u>	2023	(2050) FLEET MANAGEMENT-GARAGE	BENDPAK R26FLT TIRE-CHANGING MACHINE FOR MUNICIPAL GARAGE (SEALED BID 5758)	\$17,440.00	<u>(298323) LIFTNOW AUTOMOTIVE EQUIPMENT CORP.</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

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

APPROVE PURCHASE ORDER TO EMERGENCY SERVICES CONSULTING INTERNATIONAL FOR CODE 3 STRATEGIST EMERGENCY OPERATIONS MODELING SOFTWARE, SETUP AND 1-YEAR SUBSCRIPTION FOR MFRD; \$38,500.00. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

MINUTES OF MARCH 7, 2023

RESOLUTION: 08-235-2023

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>3121</u>	2023	(1510) FIRE ADMINISTRATION	CODE 3 STRATEGIST EMERGENCY OPERATIONS MODELING SOFTWARE, SETUP AND ONE-YEAR SUBSCRIPTION FOR MFRD (NPP GOV COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$38,500.00	<u>(298336) EMERGENCY SERVICES CONSULTING INTERNATIONAL</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

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

APPROVE PURCHASE ORDER TO WARD APPARATUS, LLC FOR RESCUE TRUCK FOR MFRD; \$260,488.00. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-236-2023

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>4781</u>	2023	(1510) FIRE ADMINISTRATION	MCB RESPONDER 12FT RESCUE TRUCK FOR MFRD (HGAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$260,488.00	<u>(0000) WARD APPARATUS LLC.</u>

MINUTES OF MARCH 7, 2023

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

Nays: None

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

AUTHORIZE CONTRACT WITH C SPIRE BUSINESS SOLUTIONS FOR VOICE-OVER-INTERNET PROTOCOL TELEPHONE SERVICE AND SUPPORT. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-237-2023

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, the renewal of a contract dated April 24, 2018, by and between the City of Mobile and Telepak Networks, Inc., doing business as C Spire Business Solutions, for Voice-Over-Internet Protocol telephone service and support, for a renewal period of three years, with the option to renew for an additional subsequent three year period without requirement for further Council approval. Such renewal is attached hereto and made a part hereof as though set forth in full. A copy of said contract renewal is on file in the Office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

Nays: None

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

AUTHORIZE CONTRACT AMENDMENT WITH WATKINS ACY STRUCK DESIGN, INC. FOR MARDI GRAS PARK; \$17,187.15. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-238-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Amendment to the 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 and amendment is on file in the office of the City Clerk.

Name of Company: WATKINS ACY STRUCK DESIGN, INC.
(WAS DESIGN. INC.)

Project Name: MARDI GRAS PARK-IMPROVEMENTS

Project Number: PR-050-19

MINUTES OF MARCH 7, 2023

Amount: ADDITIONAL \$17,187.75

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

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

AUTHORIZE CONTRACT WITH ARENA FIRE PROTECTION, INC. FOR FIRE ALARM SYSTEMS INSEPTIONS & TESTING AT VARIOUS CITY LOCATIONS; \$176,875.00 TOTAL. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-239-2023

Sponsored by: Mayor Stimpson

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

Name of Company: ARENA FIRE PROTECTION INC.

Project Name: VARIOUS CITY OF MOBILE LOCATIONS -
FIRE ALARM SYSTEMS INSPECTIONS & TESTING
(3-YEAR SERVICE CONTRACT)

Project Number: SC-013-23

Amount: \$58,625.00 FIRST YEAR ONLY
\$59,025.00 SECOND YEAR ONLY
\$59,225.00 THIRD YEAR ONLY
\$176,875.00 COMBINED TOTAL

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

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

AUTHORIZE CONTRACT WITH THOMPSON CONSULTING SERVICES, LLC AND TETRA TECH, INC. FOR POST DISASTER DEBRIS REMOVAL MONITORING AND CONSULTING SERVICES. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-240-2023

Sponsored by: Mayor Stimpson

MINUTES OF MARCH 7, 2023

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 Thompson Consulting Services, LLC, for three years, renewable for three additional years without further Council approval required, in amounts as necessary at specific unit pricing, to provide post disaster debris removal monitoring and consulting services, as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the Office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

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

ACCEPT PERMANENT SIDEWALK EASEMENT NEEDED FOR 2023 CITYWIDE SIDEWALK REPAIR AND MAINTENANCE. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 25-241-2023

Sponsored by: Mayor Stimpson and Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City hereby accepts a Sidewalk Easement from Board of School Commissioners of Mobile County, on property located in front of Orchard Elementary School for the 2023 City Wide Sidewalk Repair & Maintenance Project No. 2023-3005-01.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

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

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO TEN65, LLC TO OPERATE A SHUTTLE SERVICE. The following resolution was introduced and read at the regular meeting of February 28, 2023, and held over until the regular meeting of March 7, 2023, was called up by the Presiding Officer.

RESOLUTION: 37-242-2023

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Ten65 Transportation, LLC for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

MINUTES OF MARCH 7, 2023

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

ORDINANCES BEING INTRODUCED

REZONE PROPERTY LOCATED AT 1459 MONTLIMAR COURT FROM B-2 AND B-3 TO B-3. The following ordinance was held over until the regular meeting of March 14, 2023.

ORDINANCE: 64-011-2023

Sponsored by: Councilmember Daves

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:

THE SOUTHWESTERLY PORTION OF LOT 1, MONTLIMAR COMMERCIAL PARK, AS PER PLAT THEREOF RECORDED IN MAP BOOK 18, PAGE 113 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

MORE PARTICULARLY DESCRIBED. AS FOLLOWS:

BEGINNING AT A CAPPED REBAR (WATTIER) AT THE SOUTHWEST CORNER OF LOT 1, MONTLIMAR COMMERCIAL PARK, AS RECORDED IN MAP BOOK 18, PAGE 113 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 27°-34'-13" EAST ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 180.80' TO A CAPPED REBAR (BSI); THENCE RUN SOUTH 62°-19'-33" EAST A DISTANCE OF 105.56 FEET TO A CAPPED REBAR (BSI) ON THE EAST LINE OF SAID LOT 1; THENCE RUN SOUTH 27°-37'-06" WEST ALONG SAID EAST LINE A DISTANCE OF 150.04 FEET TO A CRIMP TOP PIPE AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE RUN WESTWARDLY ALONG THE SOUTH LINE OF SAID LOT 1, ALONG THE NORTH RIGHT-OF-WAY LINE OF MONTLIMAR COURT (60' R/W) AND ALONG THE ARC OF A CURVE TO THE RIGHT (HAVING A DELTA 13°-58'-42", A RADIUS OF 451.08 FEET, A CHORD BEARING OF NORTH 78°-35'-40" WEST, AND A CHORD LENGTH OF 109.78 FEET) AN ARC DISTANCE OF 110.05 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PORTION CONTAINS 0.41 ACRES, MORE OR LESS.

The classification of said property is hereby changed from B-2, Neighborhood Business District, and B-3, Community Business 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 B-3, Community Business District, provided, however, that the plans for any structure of building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-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.

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

MINUTES OF MARCH 7, 2023

Councilmember Gregory moved for the suspension of the rules to consider Resolutions 09-245 through 60-254 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

TRANSFER FUNDS FROM C0509 CAPITAL IMPROVEMENT FUND TO E0033 CAPITAL IMPROVEMENT FUND TO COMPLETE FUNDING FOR THE VIDEO WALL AT CENTRAL PRECINCT; \$2,000.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 09-245-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the sum of \$2,000 be transferred from C0509 Capital Improvement Fund to E0033 Capital Improvement Fund. This transfer is to complete funding for Video Wall for Central Precinct.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR CLASS II LICENSE TO SIP AND SMOKE PACKAGE, 5212 COTTAGE HILL ROAD. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-246-2023

Sponsored by: Councilmember Reynolds

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

Type of application: Lounge Retail Liquor Class II
(Package Store) License

Submitted by: Sip and Smoke LLC

Location: Sip and Smoke Package
5212 Cottage Hill Rd. Ste. E
Mobile. AL 36609

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

MINUTES OF MARCH 7, 2023

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

DECLARE WEEDS NOXIOUS, GROUP 1641. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-247-2023

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

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

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

SECTION 1: It has been determined by the City Council of Mobile that the weeds growing on the privately owned lots or parcels of land described in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part thereof as though set forth in full, known as **Group #1641** under the caption "NOXIOUS OR DANGEROUS WEEDS GROWING ON PROPERTY," are noxious and dangerous, and such weeds are hereby declared to be public nuisances. The properties upon which such weeds are growing are all located within the corporate limits of the City of Mobile, about the streets referred to in the description which are more particularly described in said Exhibit "A."

SECTION 2: The weeds growing on or in front of the above-described parcels of property shall be abated by the removal of such noxious or dangerous weeds or they will be removed and the nuisances abated by the City of Mobile, in which case the cost of such removal will be assessed against the respective parcels of lands from which such weeds are removed, and such cost will constitute a lien upon such respective parcels of land until paid. A public meeting is hereby called to be held in the Auditorium of the Mobile Government Plaza, 205 Government Street, Mobile, Alabama, on the **7th day of March 2023**, at ten thirty a.m., for the purpose of hearing any objections to the declarations contained in this resolution and to the proposed removal of such weeds, at which time all objections will be heard and given due consideration by the City Council of Mobile; and it is directed that there shall be conspicuously posted in front of each parcel of property, a notice headed "NOTICE TO DESTROY WEEDS," such heading to be in words not less than one inch in height and substantially in the form set out in such Act No. 329, approved April 29, 1988.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

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

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

ASSESS COSTS FOR REMOVAL OF WEEDS, WEED LIEN GROUP 1635. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-248-2023

MINUTES OF MARCH 7, 2023

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 1635** shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

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

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 PROVIDENCE FOUNDATION, FESTIVAL OF FLOWERS, SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-249-2023

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate **\$2,500.00** to Providence Foundation for its Festival of Flowers, from his discretionary funds; and

WHEREAS, Providence Foundation 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

MINUTES OF MARCH 7, 2023

WHEREAS, the Mobile City Council determines that this appropriation to Providence Foundation will be used for their 30th Annual Festival of Flowers to be held March 23-26, 2023, 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 **\$2,500.00** to Providence Foundation 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 Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 DOG RIVER CLEARWATER REVIVAL, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-250-2023

Sponsored by: Councilmembers Small, Reynolds, and Jones

WHEREAS, Councilmember Jones wishes to appropriate **\$1,000.00**, Councilmember Reynolds wishes to appropriate **\$2,500.00**, and Councilmember Small wishes to appropriate **\$1,000.00 (TOTAL \$4,500.00)**, to Dog River Clearwater Revival, Inc., from his discretionary funds; and

WHEREAS, Dog River Clearwater Revival, 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 Dog River Clearwater Revival, Inc., will be used to assist with the 8th Annual MudBottom Revival Music Festival fundraiser on Sunday, April 23, 2023, 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 **\$4,500.00** to Dog River Clearwater Revival, 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 Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

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

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

MINUTES OF MARCH 7, 2023

DETERMINE AN APPROPRIATION TO INFIRMARY FOUNDATION, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-251-2023

Sponsored by: Councilmember Daves

WHEREAS, Councilmember Daves wishes to appropriate **\$5,000.00** to Infirmary Foundation, Inc., from his discretionary funds; and

WHEREAS, Infirmary Foundation, 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 Infirmary Foundation, Inc., will be used to help with indigent care for the less fortunate citizens of 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 **\$5,000.00** to Infirmary Foundation, 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 Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 VILLAGE OF SPRING HILL, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-252-2023

Sponsored by: Councilmember Daves

WHEREAS, Councilmember Daves wishes to appropriate **\$15,000.00** to The Village of Spring Hill, Inc., from his discretionary funds; and

WHEREAS, The Village of Spring Hill, 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 The Village of Spring Hill, Inc., will be used to assist with maintenance for the landscaped median along Dauphin Street, maintenance along Vickers Lane and South McGregor Ave., and yearly

MINUTES OF MARCH 7, 2023

maintenance for Village of Spring Hill street trees, 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 **\$15,000.00** to The Village of Spring Hill, 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 Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 DRUG EDUCATION COUNCIL, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-253-2023

Sponsored by: Councilmember Jones

WHEREAS, Councilmember Jones wishes to appropriate **\$1,500.00** to Drug Education Council, Inc., from his discretionary funds; and

WHEREAS, Drug Education Council, 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 Drug Education Council, Inc., will be used to help assist with the annual luncheon to be held on March 20, 2023, 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 **\$1,500.00** to Drug Education Council, 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 Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

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

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

MINUTES OF MARCH 7, 2023

DETERMINE AN APPROPRIATION TO ORCHARD ELEMENTARY SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-254-2023

Sponsored by: Councilmember Gregory

WHEREAS, Councilmember Gregory wishes to appropriate **\$3,000.00** to Orchard Elementary School, from her discretionary funds; and

WHEREAS, Orchard Elementary School, is public school in Mobile, Alabama, which the Council may support pursuant to Code of Alabama § 16-13-36; 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 Orchard Elementary School will be used to assist with the improvement of the school's environment and to reward school stakeholders with incentives for increasing academic achievement, 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 **\$3,000.00** to Orchard Elementary School 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 Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

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

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH ALDOT FOR ALABAMA TRANSPORTATION REHABILITATION AND IMPROVEMENT PROGRAM PROJECT. The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 01-255-2023

Sponsored by: Mayor Stimpson

WHEREAS, the Alabama Department of Transportation has awarded a 2022 ATRIP-II project to the City of Mobile in the amount of \$1,762,850.67;

WHEREAS, the City of Mobile does not anticipate a project cost overrun about the awarded ATRIP-II amount on this project; and

WHEREAS, in the event that such an overrun should occur, the City agrees to be responsible for this overrun.

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

MINUTES OF MARCH 7, 2023

That the City of Mobile hereby agrees to be responsible for a project cost overrun above the ATRIP-II award amount on the 2022 ATRIP-II project in the event such an overrun should occur; and

That the City Council hereby authorizes the payment of aforementioned cost overrun; and if the total sum of any overrun exceeds \$176,285.07, said overrun will be brought to the City Council for approval.

APPROVE PURCHASE ORDERS FOR FUEL FOR VARIOUS CITY LOCATIONS. The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 08-256-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>6368</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$20,625.00	(279229) PETROLEUM TRADERS CORPORATION
<u>6369</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$20,625.00	(279229) PETROLEUM TRADERS CORPORATION
<u>6370</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$20,625.00	(279229) PETROLEUM TRADERS CORPORATION
<u>6372</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$20,625.00	(279229) PETROLEUM TRADERS CORPORATION
<u>6374</u>	2023	(2050) FLEET MANAGEMENT GARAGE	4 TH PRECINCT UNLEADED (SEALED BID 5624)	\$18,082.64	(279229) PETROLEUM TRADERS CORPORATION
<u>6375</u>	2023	(2050) FLEET MANAGEMENT GARAGE	4 TH PRECINCT UNLEADED (SEALED BID 5624)	\$18,082.64	(279229) PETROLEUM TRADERS CORPORATION

APPROVE PURCHASE ORDER TO INSIGHT PUBLIC SECTOR FOR CASE MANAGEMENT SOFTWARE AND TRAINING; \$26,021.91. The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 08-257-2023

Sponsored by: Mayor Stimpson

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

MINUTES OF MARCH 7, 2023

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>5014</u>	2023	(1545) POLICE CYBER DIVISION	APRICOT ESSENTIALS CASE MANAGEMENT SOFTWARE AND SOCIAL SOLUTIONS TRAINING (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$26,021.91	<u>(296399)</u> <u>INSIGHT PUBLIC</u> <u>SECTOR</u>

**APPROVE PURCHASE ORDER TO STIVERS FORD LINCOLN, INC. FOR FORD F150
SUPERCREW PICKUP TRUCKS FOR FACILITY MAINTENANCE DEPT.; \$75,594.00.**

The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 08-258-2023

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>6112</u>	2023	(F7000) MOTOR POOL	2 FORD F150 SUPERCREW PICKUP TRUCKS FOR FACILITY MAINTENANCE (AL STATE CONTRACT)	\$75,594.00	<u>(292393) STIVERS</u> <u>FORD LINCOLN</u> <u>INC</u>

**APPROVE PURCHASE ORDER TO SOFTWARE VENDOR FOR ANNUAL RENEWAL
OF SECURITY INFORMATION AND EVENT MANAGEMENT PLATFORM SERVICE
FOR MIT; \$21,060.00.** The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 08-259-2023

Sponsored by: Mayor Stimpson

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

MINUTES OF MARCH 7, 2023

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>6451</u>	2023	(5000) INFORMATION TECHNOLOGY	ANNUAL RENEWAL OF SECURITY INFORMATION AND EVENT MANAGEMENT PLATFORM SERVICE FOR MIT (BID EXEMPT AL CODE 41- 16-51(A)(15)	\$21,060.00	<u>(297326)</u> <u>SOFTWARE</u> <u>VENDOR</u>

APPROVE PURCHASE ORDER TO INTERFACE AMERICAS, INC. FOR FLOORING REPLACEMENT FOR REVENUE DEPT.; \$126,230.86. The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 08-260-2023

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>4332</u>	2023	(3032) ARCHITECTURAL ENGINEERING	FLOORING REPLACEMENT FOR REVENUE DEPARTMENT (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$126,230.86	<u>(297858)</u> <u>INTERFACE</u> <u>AMERICAS, INC</u>

APPROVE PURCHASE ORDER TO KONE, INC. FOR ELEVATOR REPAIRS AT WEST REGIONAL LIBRARY; \$67,975.08. The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 08-261-2023

Sponsored by: Mayor Stimpson and Councilmember Reynolds

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

MINUTES OF MARCH 7, 2023

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>5357</u>	2023	(3032) ARCHITECTURAL ENGINEERING	REPAIR ELEVATORS AT WEST REGIONAL LIBRARY (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$67,975.08	<u>(273592) KONE, INC</u>

**APPROVE PURCHASE ORDER TO MOIBLE AREA WATER AND SEWER SYSTEM
FOR METERS AND HOOKUP FEES FOR LANGAN PARK RESTROOMS; \$17,110.00.**

The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 08-262-2023

Sponsored by: Mayor Stimpson and Councilmember Gregory

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>6471</u>	2023	(3032) ARCHITECTURAL ENGINEERING	METERS AND HOOKUP FEES AND SERVICES FOR LANGAN PARK RESTROOM IMPROVEMENTS (AL CODE 41-16- 51(A)(13) SOLE SOURCE; AGO 2008- 093 OTHER GOVT AGENCY)	\$17,110.00	<u>(138351) MOBILE AREA WATER AND SEWER SYSTEM</u>

**AUTHORIZE CONTRACT WITH ROGERS & WILLARD, INC. FOR IMPROVEMENTS
TO 200 GOVERNMENT STREET; \$572,576.00.**

The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 21-263-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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 tile 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 ls on file in the office of the City Clerk.

Name of Company: ROGERS & WILLARD, INC.

Project Name: 200 GOVERNMENT STREET -
THIRD FLOOR RENOVATIONS

Project Number: MX-068-22

MINUTES OF MARCH 7, 2023

Amount: \$572,576.00

AUTHORIZE CONTRACT WITH GORAM AIR CONDITIONING, INC. FOR HVAC MAINTENANCE AND REPAIRS AT VARIOUS CITY FACILITIES; NOT TO EXCEED \$300,000.00. The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 21-264-2023

Sponsored by: Mayor Stimpson

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

Name of Company: GORAM AIR CONDITIONING COMPANY, INC.

Project Name: VARIOUS CITY OF MOBILE FACILITIES -
HVAC MAINTENANCE AND REPAIR CONTRACT FOR
CITY-OWNED BUILDINGS
(1-YEAR SERVICE CONTRACT)

Project Number: SC-015-23

Amount: NOT TO EXCEED \$300,000.00

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; GULF COAST UNDERGROUND. The following resolution was held over until the regular meeting of March 14, 2023.

RESOLUTION: 60-265-2023

Sponsored by: Mayor Stimpson

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

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO LEE ANTHONY CLARKE TO OPERATE A SHUTTLE SERVICE (SCHEDULED FOR MARCH 21, 2023). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-266-2023

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

MINUTES OF MARCH 7, 2023

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

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Lee Anthony Clarke to operate a shuttle service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza, located at 205 Government Street, Mobile, Alabama, on March 21, 2023, at 10:30 a.m. At such time and place, all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Lee Anthony Clarke for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

Councilmember Daves moved to call for the public hearing, which was seconded by Councilmember Jones and the vote was as follows:

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as March 21, 2023.

**CALL FOR PUBLIC HEARING PROPOSING AN AMENDMENT TO TAX INCREMENT
FINANCING DISTRICT ONE IN THE CITY OF MOBILE, AUTHORIZING THE
PREPARATION OF AN AMENDMENT TO THE TAX INCREMENT FINANCING
DISTRICT ONE PLAN, AUTHORIZING THE PRESIDENT OF THE CITY COUNCIL TO
PERFORM CERTAIN ACTIONS REQUIRED BY ALABAMA LAW, AND DIRECTING
THE PUBLICATION OF THIS RESOLUTION (SCHEDULED FOR MARCH 28, 2023).**

This resolution was introduced by Councilmember Daves.

RESOLUTION: 41-267-2023

Sponsored by: Mayor Stimpson

A RESOLUTION CALLING FOR A PUBLIC HEARING PROPOSING AN AMENDMENT TO TAX INCREMENT FINANCING DISTRICT ONE IN THE CITY OF MOBILE, AUTHORIZING THE PREPARATION OF AN AMENDMENT TO THE TAX INCREMENT FINANCING DISTRICT ONE PLAN, AUTHORIZING THE PRESIDENT OF THE CITY COUNCIL TO PERFORM CERTAIN ACTIONS REQUIRED BY ALABAMA LAW, AND DIRECTING THE PUBLICATION OF THIS RESOLUTION

Sponsored by: Council President Small & Mayor Stimpson

WHEREAS, the City of Mobile, Alabama (the "City") proposes an amendment to Tax Increment Financing District One ("TIF District One"), created as authorized by Resolution of the City Council of the City of Mobile, Resolution No. 60-528 adopted September 21, 1993, pursuant to Ala. Code §11-99-1 et seq. (the "Act") and located within the city limits of the City; and

WHEREAS, pursuant to the Act, the City Council of the City desires to initiate certain procedures required by the Act and to authorize certain actions to be taken in furtherance thereof.

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

1. The City Council proposes an amendment to TIF District One, pursuant to the Act. TIF District One includes certain parcels of real property in downtown Mobile within the Henry Aaron Loop and the industrial areas on both sides of the Mobile River adjacent to downtown and

MINUTES OF MARCH 7, 2023

along Highway 98 and Battleship Parkway, as depicted on Exhibit A hereto and incorporated herein by reference. The boundaries of TIF District one will stay the same.

2. The Mayor of the City is hereby authorized to direct City staff to prepare an amendment to the Project Plan for TIF District One.

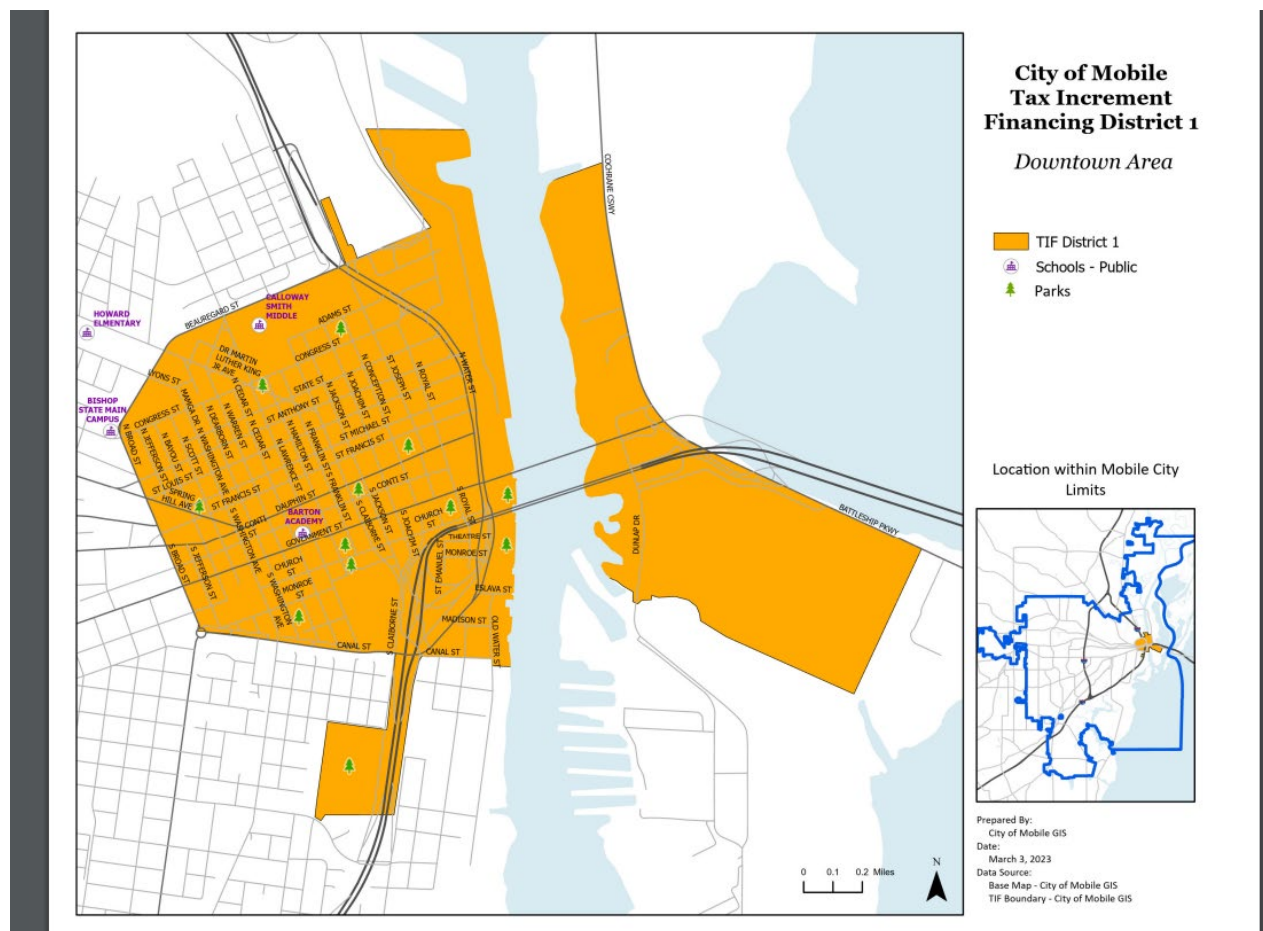
3. The President of the City Council (or in his absence, the president pro tempore) is hereby authorized and directed to make written or other submissions required and give any notices or notifications required by the Act, with respect to consideration of the amendment to TIF District One, on behalf of the City Council.

4. The City Council shall meet at 10:30 a.m. on the 28th day of March, 2023, in the Council Chambers of the City of Mobile, Alabama, located at 205 Government Street, Mobile, Alabama, for the purpose of holding a public hearing, pursuant to Ala. Code § 11-99-1 et seq., at which date, time and place all interested parties will be afforded a reasonable opportunity to express their views on the concept of tax increment financing, on the proposed amendment to TIF District One with its existing boundaries, and its benefits to the City.

5. This Resolution shall be published at length in the Lagniappe on the 15th day of March, 2023, and on the 22ND day of March, 2023, both of which publications shall be within the fifteen (15) day period immediately preceding the date of the public hearing, and shall constitute notice of the aforementioned public hearing.

6. Any prior actions taken by any officers of the City in connection with the proposed TIF District are hereby ratified and confirmed.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA this the 7TH day of March, 2023.



Councilmember Daves moved to call for the public hearing, which was seconded by Councilmember Jones and the vote was as follows:

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

Nays: None

MINUTES OF MARCH 7, 2023

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as March 28, 2023.

ANNOUNCEMENTS

Councilmember Jones congratulated the University of South Alabama's Men's Basketball team on playing in the Sun Belt Tournament Championship game.

Councilmember Jones informed the public that AltaPointe was just ordered to pay \$7M in a Mobile sexual assault case from 2019 and asked his colleagues and the County Commission to support him in his request to remove the Turk Schlesinger, CEO, from the 310 Board.

Councilmember Carroll asked the Administration when the PFM Study concerning the analysis of four study areas in reference to annexation proposals will be complete.

Councilmember Daves pointed out that every Councilmember should always consider what is best for the City of Mobile as a whole every time they cast a vote.

Councilmember Gregory announced that the Plantasia Spring Plant pre-sale will begin on March 16, 2023, at the Mobile Botanical Gardens and the general sale starts on March 17th and 18th.

Councilmember Gregory stated that the Chocolate Festival will be held on March 18, 2023, at the Grounds from 10:00 a.m. to 3:00 p.m.

Councilmember Small announced a District 3 community meeting will be held at Revelation Missionary Baptist Church on March 23, 2023, at 6:00 p.m.

Councilmember Small said the annual District 3 Easter Egg Hunt will be at Gilliard Elementary School on April 8, 2023, at 3:00 p.m.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:49 a.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK