MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 25, 2018

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, September 25, 2018, at 9:00 a.m.

Present:	
Chairman:	Manzie
Councilmembers:	Richardson, Small, Williams and Rich
Absent:	Daves and Gregory

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m. on Tuesday, September 25, 2018.

The Presiding Officer adjourned the meeting.

Approved: October 9, 2018

COUNCIL VICE PRESIDENT

CITY CLERK

MUNCIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 25, 2018

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, September 25, 2018, at 10:30 a.m., in regular meeting.

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

Revered Levon C. Manzie, Council Vice President, District 2 Representative, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman:	Manzie
Councilmembers:	Richardson, Small, Williams, Rich and Gregory
Absent:	Daves

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer stated that all cell phones must be turned off and that there will be no hats, hoods, sunglasses or large bags permitted in the meeting room.

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

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

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

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

5) Any person desiring to speak to the Council on a non-agenda item must contact the City Clerk's Office no later than 2:00 p.m. on the Thursday prior to the Council Meeting.

The subject he/she wishes to address must be identified. Any person attending the meeting who has not given proper notice to the Clerk's Office and wishes to speak on a non-agenda item will not be allowed to address the Council.

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

APPROVAL OF MINUTES:

The minutes of the meetings of September 18, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson expressed that he looks forward to the adoption of Resolution 01-672 which will create jobs in Mobile.

James Barber, Executive Director of Public Safety, presented a certificate to Johnathon Lyles naming him Firefighter of the Month for September 2018.

REPORTS OF COMMITTEES:

None.

NEW COMMITTEE ASSIGNMENTS:

None.

PRESENTATIONS BY THE COUNCIL:

Councilmember Rich read a proclamation declaring September 25, 2018 as “Project THRIVE Awareness Day.”

MONTHLY FINANCE REPORT:

Paul Wesch, Executive Director of Finance, stated:

“I wanted to take this time to update you on something we first talked about three (3) months ago. As you recall on June 22nd we celebrated the Supreme Court decision in South Dakota vs. Wayfair to strike down the requirement that a vendor in e-commerce must have physical presence in a state for them to be subject to the payment of the Sales and Use tax. In our view that made remote sellers subject to our 5% Use tax in the same way for example Walmart.com pays us 5% Use tax, which is equal to our sales tax.”

“However on July 3rd the Alabama Department of Revenue announced that it would use a non-legislative rule making authority to subject all those remote sellers to the SSUT (Simplified Sellers Use Tax.) Even with the improvements that we were able to engineer in the last session that causes cities like Mobile to have a distribution of 2.4% in SSUT as opposed to 5%. Also Mobile would be barred from exercising any of our collection activities such as enforcement, audit and related actions. In late August we met with the Alabama Department of Revenue to express our position that we have jurisdiction to collect those taxes. The Department of Revenue decided to stay with their proposed rule that requires there be a public hearing and that rule be subject to the potential of a legislative council review in which the legislature could approve, reject or modify those rules. A hearing was held on September 3rd and the City of Mobile was present. Flo Kessler and Gwen Hall represented us there. There were a number of other cities in Alabama present and all who spoke did so in opposition. Nevertheless, a short while later the Department of Revenue issued its final rule and now it becomes subject to review by the legislature and we do not know the schedule for that yet. We are in a strange period of time with an election that will decide roughly 1/3 of our legislators going forward. That legislative council is probably not fully stocked with members right now. We are attempting to gain some clarity on how that procedure will go forward. We will be challenging that rule. The purpose of my telling you this is to inform and update you and there may come a time when we ask your help in announcing the City Council's position on this matter. I think some of our fellow cities will be doing the same thing. We don't know how this will come out and the legislature will have the final say."

ADOPTION OF THE AGENDA:

Councilmember Small moved to adopt the agenda, which move was seconded by Councilmember Gregory

Councilmember Williams then made a motion to move Resolution 09-702 to the last item on the agenda, which move was seconded by Councilmember Small and the vote was as follows:

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

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

APPEALS:

The Council considered the request of O'Daly's Irish Pub for a waiver of the Noise Ordinance at 564 Dauphin Street on October 2, 3, 9, 10, 16, 17, 23, 24, 30 and 31, 2018, from 6:00 p.m. until 10:30 p.m. and October 5 and 6, 2018, from 6:00 p.m. until 10:30 p.m. (District 2).

Casey Ginn, 554 St. Francis Street, voiced his concerns regarding the noise waiver.

Councilmember Small moved to grant the waiver, which motion was seconded by Councilmember Richardson. Following comments from Councilmembers Small and Rich the vote was as follows:

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

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

The Council considered the request of David Webber for a waiver of the Noise Ordinance at Azalea Manor, 751 Dauphin Street, on November 10, 2018, from 7:00 p.m. until 11:30 p.m. (District 2).

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

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

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

The Council considered the request of Elaine Henderson, The Child Advocacy Center, for a waiver of the Noise Ordinance at Cathedral Square on March 23, 2019, from 10:00 a.m. until 2:00 p.m. (District 2).

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

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

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

The Council considered the request of Richard Johnson, D Nu Spot, for a waiver of the Noise Ordinance at 2159 Halls Mill Road on November 21, 2018, from 3:00 p.m. until 7:00 p.m. (District 3).

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

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

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

The Council considered the request of Trevor Denham, Animal Rescue Foundation, for a waiver of the Noise Ordinance at 600 Government Street on October 27, 2018, from 3:00 p.m. until 11:00 p.m. (District 2).

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

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

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

The Council considered the request of Dannie Pledger, Sparkle Productions, Inc., for a waiver of the Noise Ordinance at Cathedral Square on October 26, 2018, from 4:00 p.m. until 10:00 p.m. (District 2).

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

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

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

The Council considered the request of Johnnie Robinson for a waiver of the Noise Ordinance at 4781 LeSure Drive on October 5 and 6, 2018, from 7:00 p.m. until 2:00 a.m. (Planning Jurisdiction).

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

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

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

PUBLIC HEARINGS:

PUBLIC HEARING TO REZONE PROPERTY AT 556, 566, 576 AND 600 ZEIGLER CIRCLE EAST AND 7331 ZEIGLER CIRCLE SOUTH (SOUTHEAST CORNER OF ZEIGLER CIRCLE EAST AND SELLERS LANE), FROM B-3 TO I-1 (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to rezone property at 556, 566, 576 and 600 Zeigler Circle East and 7331 Zeigler Circle South from B-3 to I-1 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 REZONE PROPERTY AT 5803, 5807, 5811 AND 5812 WALTMAN LANE (SOUTHWEST CORNER OF WALTMAN LANE [PRIVATE ROAD] AND LONG STREET), FROM R-1 TO R-3 (DISTRICT 6).

The Presiding Officer announced that today was the day for the public hearing to rezone property at 5803, 5807, 5811 and 5812 Waltman Lane from R-1 to R-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 resolution authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO CONSIDER APPROVAL OF THE APPLICATION OF LOUIS PETER EMOND, KING FUNDRAISING D/B/A KING LIMOS, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A LIMOUSINE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider approval of the application of Louis Peter Emond, King Fundraising d/b/a King Limos, for a Certificate of Public Convenience and Necessity to operate a limousine service and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1603 DUVAL STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1603 Duval Street is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1808 DELTA STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1808 Delta Street is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1653 DUVAL STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1653 Duval Street is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Deborah Douglas, 1310 Willow Lane, expressed her concerns about the structure.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1710 WILLIAM STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1710 William Street is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Salome Wiley, 1600 Roach Street, stated she would like to repair the home.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1383 RIVIERA DRIVE EAST IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1383 Riviera Drive East is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1203 MICHIGAN AVENUE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1203 Michigan Avenue is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

None.

NON-AGENDA ITEMS:

1. Sherry Graham, 513 Magnolia Road, provided an overview of the South Alabama Mental Wellness Conference.

2. Bryan Fuenmayor, 310 N. Conception Street, offered a follow-up report on the Drag Queen Story Hour.

RESOLUTIONS HELD OVER:

AUTHORIZE AGREEMENT WITH MOBILE AREA WATER AND SEWER SYSTEM (MAWSS) FOR A SHARED GIS CLOUD SYSTEM, $850.00 PER MONTH (WITH HALF BEING BILLED TO MAWSS). The following resolution, which was introduced and read at the regular meeting of Tuesday, September 18, 2018 and held over for one (1) week until the regular meeting of September 25, 2018, was called up by the Presiding Officer.

RESOLUTION: 01-665-2018

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 between the City of Mobile and Mobile Area Water and Sewer System (MAWSS) as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

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

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

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

AUTHORIZE A LOCAL MUTUAL AID AGREEMENT FOR SUPPLEMENTAL FIRE, RESCUE AND EMS AGREEMENT WITH THE CITY OF TUSCALOOSA, AL. The following resolution, which was introduced and read at the regular meeting of Tuesday, September 18, 2018 and held over for one (1) week until the regular meeting of September 25, 2018, was called up by the Presiding Officer.

RESOLUTION: 01-666-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor is authorized to execute a Local Mutual Aid Agreement for Supplemental Fire, Rescue and EMS with the City of Tuscaloosa, AL.

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

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

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

AUTHORIZE PROJECT AGREEMENT WITH MOBILE COUNTY, MERCHANTS ALABAMA, LLC AND MTC LOGISTICS OF ALABAMA, LLC TO DEVELOP, CONSTRUCT, EQUIP AND START A NEW TEMPERATURE CONTROLLED AND/OR DRY STORAGE WAREHOUSE. The following resolution, which was introduced and read at the regular meeting of Tuesday, September 18, 2018 and held over for one (1) week until the regular meeting of September 25, 2018, was called up by the Presiding Officer.

RESOLUTION: 01-672-2018

Sponsored by: Mayor Stimpson

A RESOLUTION APPROVING THE PROJECT DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MOBILE, ALABAMA, MOBILE COUNTY, ALABAMA, MERCHANTS ALABAMA, LLC, AND MTC LOGISTICS OF ALABAMA, LLC BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF MOBILE, ALABAMA (the "City") as follows:

Section 1. The City has heretofore, upon evidence duly presented to and considered by it, found and determined, and does hereby find, determine and declare that:

(a) Merchants Alabama, LLC and MTC Logistics of Alabama, LLC (collectively, the "Company") propose to develop, construct, equip, and start up a new temperature-controlled and/or dry storage warehouse in the City and execute and deliver a multiparty Project Agreement (the "Project Agreement") with the City and the County of Mobile, Alabama (the "County") with respect to the incentives described therein and to make funding available to assist with certain Road Improvements as defined therein.

(b) The Project Agreement will be executed and delivered by the Company to the City and the County. The beneficiary of the Project Agreement is the Company.

(c) Pursuant to Amendment No. 772 to the Constitution of Alabama of 1901, as amended ("Amendment No. 772") the City has caused the Notice attached hereto as Exhibit A (the "Notice") to be published on September 16, 2018, in The Mobile Press-Register with respect to certain actions proposed to be taken, and certain agreements proposed to be made and delivered, by the City, to provide for incentives for the development of the Project and the economic development in the City thereby.

(d) The expenditure of public funds for the purposes specified in the Notice and the Project Agreement will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

(e) It is necessary, desirable, and in the best interests of the taxpayers and citizens of the City for the City to deliver and perform the agreements and undertakings of the City set forth in the Project Agreement to which the City is a party.

Section 2. The City does hereby approve, ratify, and confirm (i) the form and content of, and the statements set forth in, the Notice and (ii) the publication of the Notice as set forth in Section 1 of this resolution.

Section 3. The City does hereby approve, adopt, authorize, direct, ratify, and confirm the representations, warranties, agreements, and covenants of the City set forth in, and the actions to be undertaken by the City pursuant to, the Project Agreement.

Section 4. The Project Agreement is approved in substantially the form and of substantially the content as presented to and considered by the City, with such changes or additions thereto or deletions therefrom as the officer of the City executing the Project Agreement to which the City is a party signatory thereto shall approve, which approval shall be conclusively evidenced by execution of the Project Agreement by such officer as hereinafter provided.

Section 5. The Project Agreement presented to, considered, and adopted by the City Council shall be filed in the permanent records of the City.

Section 6. The Mayor of the City is hereby authorized and directed to execute, acknowledge, and deliver the Project Agreement for and on behalf of and in the name of the City. The City Clerk and Assistant City Clerk of the City are each hereby authorized and directed to attest the same.

Section 7. The officers of the City, or any one or more of them, are hereby authorized and directed to do and perform or cause to be done or performed in the name and on behalf of the City such other acts, and execute, deliver, file, and record such other instruments, documents, certificates, notifications, and related documents, all as shall be required by law or necessary or desirable to carry out the provisions and purposes of this Resolution and the Project Agreement.

Section 8. Any prior actions taken or agreements made or documents executed by any officers of the City in connection with the Project Agreement and the transactions therein authorized and approved are hereby ratified and confirmed.

Section 9.

(a) All ordinances, resolutions, orders, or parts thereof in conflict or inconsistent with any provision herein hereby are, to the extent of such conflict or inconsistency, repealed.

(b) This resolution shall take effect immediately.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA this the 25th day of September. 2018.

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

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

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

REALLOCATE $3,400.00 FROM THE GENERAL FUND, DISTRICT 3 DISCRETIONARY ACCOUNT DSC-03, GENERAL FUND ACCOUNT 10041020-42080 TO THE MOBILE POLICE DEPARTMENT TRAFFIC SAFETY UNIT, GENERAL FUND OPERATING ACCOUNT 10001530-34180 TO REIMBURSE THEM FOR POLICE SECURITY DURING THE 2017 DISTRICT 3 HOLIDAY PARADE. The following resolution, which was introduced and read at the regular meeting of Tuesday, September 18, 2018 and held over for one (1) week until the regular meeting of September 25, 2018, was called up by the Presiding Officer.

RESOLUTION: 09-667-2018

Sponsored by: Councilmember Small

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $3,400.00 be transferred from the General Fund, District 3 Discretionary Account DSC-03, General Fund Account 10041020-42080 to the Mobile Police Department Traffic Safety Unit, General Fund Operating Account 10001530-34180, to reimburse them for police security during the 2017 District 3 holiday parade.

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

Ayes: Richardson, Manzie, Small, Williams, Rich 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 CLARK, GEER, LATHAM & ASSOCIATES FOR MASTER SERVICES AGREEMENT-OPTIONAL PERMIT REVIEW, INCREASE $40,000.00 (C0389; 20002000-48020). The following resolution, which was introduced and read at the regular meeting of Tuesday, September 18, 2018 and held over for one (1) week until the regular meeting of September 25, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-668-2018

Sponsored by: Mayor Stimpson

WHEREAS, the City entered into a master service agreement dated August 23, 2017 with Clark, Geer, Latham, and Associates, Inc. for engineering services related to optional right-of-way permit application reviews under Contract No. 1314; and

WHEREAS, the fees totaling $50,000.00 for the engineering services were originally based on an initial estimate of reviews for a time until said fees had been depleted; and

WHEREAS, the professional engineering fees have been adjusted to compensate Clark, Geer, Latham, and Associates, Inc. for extension and continuance of engineering services, thereby increasing professional engineering fees by $40,000.00 to a total of $90,000.00; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby authorize the additional fee of $40,000.00, for a total of $90,000.00, to be paid to Clark, Geer, Latham, and Associates, Inc. for engineering services under Contract No. 1314.

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

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

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

AUTHORIZE AGREEMENT WITH MOTT MACDONALD, LLC, FOR DAUPHIN STREET (FROM SAGE AVENUE TO WEST OF I-65 AT SPRINGHILL MEMORIAL HOSPITAL, $687,752.00 (DISTRICT 1, 5 AND 7) (STATE PROJECT NO. STPMB-7433 [601]; COM PROJECT NO. 2018-3005-26; C0158; 20002000-48020). The following resolution, which was introduced and read at the regular meeting of Tuesday, September 18, 2018 and held over for one (1) week until the regular meeting of September 25, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-669-2018

Sponsored by: Councilmembers Richardson, Daves and Gregory and Mayor Stimpson

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

Name of company: Mott MacDonald, LLC

Project name: Dauphin Street (from Sage Avenue to west of 1-65 at Springhill Memorial Hospital) (Districts 1, 5 and 7)

State project no.: STPMB-7433(601)

COM project no.: 2018-3005-26

Estimated cost: $687,752.00

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

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

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

AUTHORIZE LEASE AGREEMENT WITH MOBILE COUNTY, ALABAMA, TO LEASE 564 DR. MARTIN LUTHER KING, JR. AVENUE (FORMERLY DAVIS AVENUE BRANCH LIBRARY) TO OPERATE AND MAINTAIN THE PROPERTY AS A CULTURAL VENUE. The following resolution, which was introduced and read at the regular meeting of Tuesday, September 18, 2018 and held over for one (1) week until the regular meeting of September 25, 2018, was called up by the Presiding Officer.

RESOLUTION: 35-670-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, pursuant to Code of Alabama Section 1I-80-3 (1975), the Lease Agreement between the City of Mobile and Mobile County, Alabama, to lease to Mobile County, Alabama the property located at 564 Dr. Martin Luther King Jr. Avenue, formerly known as the Davis Avenue Branch Library, to operate and maintain the property as a Cultural Venue at the subject property, as outlined in the Agreement attached hereto and made a part hereof as though set forth in full. A copy of said Agreement is on file in the office of the City Clerk.

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

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

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

APPROVE THE APPLICATION OF WANDA EHOUSE D/B/A AAAND YOU NEED A RIDE WE RIDE, LLC, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A TAXICAB SERVICE. The following resolution, which was introduced and read at the regular meeting of Tuesday, September 18, 2018 and held over for one (1) week until the regular meeting of September 25, 2018, was called up by the Presiding Officer.

RESOLUTION: 37-671-2018

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, pursuant to the provisions of Ordinance #59-073, 2005, that the application of Wanda Ehouse d/b/a AAAND YOU NEED A RIDE WE RIDE, LLC, for a Certificate of Public Convenience and Necessity to operate a taxicab 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 Small moved that the resolution be adopted, which was seconded by Councilmember Williams and the vote was as follows:

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

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

ORDINANCES BEING INTRODUCED:

REZONE PROPERTY AT 556, 566, 576 AND 600 ZEIGLER CIRCLE EAST AND 7331 ZEIGLER CIRCLE SOUTH (SOUTHEAST CORNER OF ZEIGLER CIRCLE EAST AND SELLERS LANE), FROM B-3 TO I-1 (DISTRICT 7). The following ordinance was held over for two (2) weeks until the regular meeting of Tuesday, October 9, 2018.

ORDINANCE: 64-025-2018

Sponsored by: Councilmember Gregory

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

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

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

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

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

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

REZONE PROPERTY AT 5803, 5807, 5811 AND 5812 WALTMAN LANE (SOUTHWEST CORNER OF WALTMAN LANE [PRIVATE ROAD] AND LONG STREET), FROM R-1 TO R-3 (DISTRICT 6). The following ordinance was held over for two (2) weeks until the regular meeting of Tuesday, October 9, 2018.

ORDINANCE: 64-026-2018

Sponsored by: Councilmember Rich

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

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

Section One. Findings

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

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

Section Two. Zoning Amendment.

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

LOT 3, THE RESUBDIVISION OF LOT 1 OF THE UNIVERSITY SQUARE AND LOT 4, WESTERN HILLS EXTENSION AS RECORDED IN MAP BOOK 118 PAGE 42, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA AND ALL THAT PART OF LOTS 7 AND 8, WESTERN HILLS EXTENSION AS RECORDED IN MAP BOOK 3 PAGE 432 PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 7 WESTERN HILLS EXTENSION, THENCE NORTH 89°-36'-30" WEST ALONG THE NORTH LINE OF SAID LOT 7 A DISTANCE OF 307.41 FEET; THENCE SOUTH 88M6'-08" WEST 101.80 FEET TO THE SOUTHEAST CORNER OF LOT 2, THE UNIVERSITY SQUARE AS RECORDED IN MAP BOOK 103 PAGE 72 OF THE AFORESAID RECORDS; THENCE SOUTH 88°-57'-48" WEST 92.91 FEET; THENCE SOUTH 00°-50'-45" EAST 220.51 FEET TO A CORNER OF LOT 1, CAMPUS CREST SUBDIVISION AS RECORDED IN MAP BOOK 133 PAGE 20 OF THE AFORESAID RECORDS; THENCE NORTH 89°-34'-45" EAST 194.94 FEET; THENCE NORTH 00°-21’-42" EAST 79.95 FEET TO A POINT ON THE SOUTH LINE OF LOT 7, WESTERN HILLS EXTENSION; THENCE NORTH 89°-38'-48" EAST 303.38 FEET TO THE SOUTHEAST CORNER OF LOT 7 AND A POINT ON THE WEST LINE OF LONG STREET; THENCE NORTH 139.00 FEET TO THE POINT OF BEGINNING.

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

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

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

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

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

Section Three.

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

DEEM CERTAIN PROPERTY NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZE THE SALE THEREOF (LOTS 19, 20 AND 21, HIGHLAND TOWNHOUSES, UNIT ONE). The following ordinance was held over for two (2) weeks until the regular meeting of Tuesday, October 9, 2018.

ORDINANCE: 88-027-2018

Sponsored by: Councilmember Rich and Mayor Stimpson

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

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the property hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold:

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

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

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

SECTION FOUR: John Olszewski, Real Estate Officer, of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

SECTION FIVE: Said Purchase and Sale Agreement and Deed are by reference made a part of this ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk and in the office of the Real Estate Department, 4th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

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

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

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 03-673 – 60-686 being introduced for the first time. The motion was seconded by Councilmember Gregory, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

REAPPOINT A. HOLMES WHIDDON, JR. AS A FULL TIME JUDGE OF MUNICIPAL COURT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-673-2018

Sponsored by: City Council

RESOLUTION RE-APPOINTING A. HOLMES WHIDDON, JR. AS A FULL-TIME JUDGE OF THE MUNICIPAL COURT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that The Honorable A. Holmes Whiddon, Jr. is hereby re-appointed as a fulltime judge of the Mobile Municipal Court for a term of four (4) years, commencing October 1, 2018.

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

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

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

REAPPOINT SHELBONNIE HALL AS A FULL-TIME JUDGE OF MUNICIPAL COURT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-674-2018

Sponsored by: City Council

RESOLUTION RE-APPOINTING SHELBONNIE HALL AS A FULL-TIME JUDGE OF THE MUNICIPAL COURT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that The Honorable Shelbonnie Hall is hereby re-appointed as a full-time judge of the Mobile Municipal Court for a term of four (4) years, commencing October 1, 2018.

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

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

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

AUTHORIZE THE MAYOR TO ACEPT AND RECEIVE FUNDING FROM THE ALEA FY2016 HOMELAND SECURITY GRANT PROGRAM, $51,868.82 (NO LOCAL MATCH). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 31-675-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor is authorized to accept and receive grant proceeds in the amount of $51,868.82 for the ALEA FY2016 Homeland Security Grant Program.

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE, FOR IRON HAND BREWING, 206 STATE STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-676-2018

Sponsored by: Councilmember Manzie

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

Type of application: Restaurant Retail Liquor License

Submitted by: Iron Hand Brewing, LLC

Location: Iron Hand Brewing
206 State Street
Mobile, AL 36603

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A BREWPUB LICENSE, FOR IRON HAND BREWING, 206 STATE STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-677-2018

Sponsored by: Councilmember Manzie

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

Type of application: Brewpub License

Submitted by: Iron Hand Brewing, LLC

Location: Iron Hand Brewing
206 State Street
Mobile, AL 36603

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

Ayes: Richardson, Manzie, Small, Williams, 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 1603 DUVAL STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-678-2018

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52. Article II of the Mobile City Code “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 1603 Duval 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, B, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1603 Duval Street described as:

THE N 100 FT OF LOTS 1 & 2 BLK 2 OLLINGER & STEIN SUB BEING PART OF SQ 5 MANDEVILLE TRT DBK 128 P 101 #SEC 36 T4S RIW #MP29 1136 0 004

Parcel number: 29 11 36 0 004 026

Last assessed to: KING SHARON

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

Ayes: Richardson, Manzie, Small, Williams, 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 1808 DELTA STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-679-2018

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 1808 Delta 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, B, 7, B, and 14; 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 1808 Delta Street described as:

LOT 18 BLK 1 BROOKLEY HGTS 1ST SEC IVIBK 3 P6S 677-680 #SEC 37 T5S RIW #MP32 02 37 0 001

Parcel number: 32 02 37 0 001004

Last assessed to: MITCHELL TOMMIE LEE SR & TOMMIE LEE JR

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

Ayes: Richardson, Manzie, Small, Williams, 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 1653 DUVAL STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Gregory.

REOLUTION: 40-680-2018

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 1653 Duval 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, B, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1653 Duval Street described as:

LOT 2 IN BLK 1 OF THE OLLINGER & STEIN SUB OF PI OF SO 5 OF THE MANDEVILLE TRT DBK 128 N S P 101 #SEC 36 T4S RIW ftMP29 1136 0 004

Parcel number: 29 1136 0 004 042.01

Last assessed to: JACKSON RETHA PEARL

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 11 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 Gregory moved that the resolution be adopted, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, 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 1710 WILLIAM STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-681-2018

Sponsored by: Councilmember Richardson

WHEREAS, under the provisions of Chapter 52, Article 11 of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 1710 William 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, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1710 William Street described as:

LOT 17 BLK 2 LINCOLN PARK S UB #1 MBK 4/260 #SEC 44 T4S RIW #MP29 02 44 0 009

Parcel number: 29 02 44 0 009 460

Last assessed to: WILEY SALOME HUNT

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

Ayes: Richardson, Manzie, Small, Williams, 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 1383 RIVIERA DRIVE EAST A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-682-2018

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article 11 of the Mobile City Code "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5. 2017, the structure at 1383 Riviera Drive E 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. 3, 5, 6, 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 1383 Riviera Drive E described as:

N 50 FT OF LOT 2 RIVIERA PL MBK 4 P 124-127 #SEC 37 T5S RIW #IV!P32 02 37 0 003

Parcel number: 32 02 37 0 003 138

Last assessed to: GRAHAM JERRY MIKELL

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

Ayes: Richardson, Manzie, Small, Williams, 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 1203 MICHIGAN AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-683-2018

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 1203 Michigan 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. 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 1203 Michigan Avenue described as:

LOTS NO 35. 36. 37. & THAT PT OF LOT NO 34 WHICH LIES E OF TH E/L OF MICHIGAN AVE TH SD LOTS BEING IN TH J H MCGEHEE S/D OF MCATEE PL PER DB 132. MS PG 133 #SEC 27 T4S RIW #IVIP29 10 27 3 003

Parcel number: 29 10 27 3 003 032

Last assessed to: WESLEY CHAPEL UNITED METHODIST CHURCH & BOBBY D. DENNISON

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

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

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

RENAME THE “VIRGINIA DILLARD SMITH BUILDING” AT THE TOULMINVILLE LIBRARY TO THE “VIRGINIA DILLARD SMITH BRANCH” AND THAT THE SIGNAGE BE CHANGED ACCORDINGLY. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 46-684-2018

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the “Virginia Dillard Smith Building” at the Toulminville Library be renamed the “Virginia Dillard Smith Branch” and that the signage be changed accordingly.

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

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

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

DECLARE WEEDS NOXIOUS, GROUP #1582. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-685-2018

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 #1582 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 30th day of October. 2018, at ten thirty a.m., for the purpose of hearing any objections to the declarations contained in this resolution and to the proposed removal of such weeds, at which time all objections will be heard and given due consideration by the City Council of Mobile; and it is directed that there shall be conspicuously posted in front of each parcel of property, a notice headed "NOTICE TO DESTROY WEEDS," such heading to be in words not less than one Inch in height and substantially in the form set out in such Act No. 329, approved April 29, 1988.

	WEED LIEN				
	GROUP 1582			Res. No.	
9/25/2018	LOTS TO BE DECLARED			58-	
10/30/2018	LOTS FOR PUBLIC HEARING			58-	
//2018	LOTS TO BE ASSESSED FOR COST			58-	
No.	Address	SRO No.	Amount Assessed	Dis	N/A CBO
1	616 Petit Ave	876328		1	
2	2118 Gibson St	876330		1	
3	5661 King St	876367		4	
4	2707 Farnell Dr	876366		4	
5	7103 Tenth St	879367		7	
6	430 Winston Hopkins Dr	880016		7	
7	0 Lincoln Ave	882778		2	
	Parcel No. (22 08 44 0 019 092.XXX)				
8	2308 Cecelia St	882779		1	
9	112 Shell Road Pl	882781		1	
10	367 West St	882782		2	
11	2355 Bullen St	882783		1	
12	1314 Pecan St	887126		2	
13	6302 Biloxi Ave	887127		7	
14	659 Cody Rd	887128		7	
15	Tillman Corner Lot 1	887131		4	
	Parcel No. (33 08 27 2 000 021.03X)				
16	Tillman Corner Lot 2	887132		4	
	Parcel No. (33 08 27 2 000 021.007)				
17	1009 Alba St	887134		3	
18	2536 Victory Ave	887135		1	
19	2257 Clinton St	887136		1	
20	1560 Butler St	877137		1	
21	374 Dunbar St	887139		2	
22	510 English St	887140		2	
23	2320 Lourdes Cir N	892072		1	
	Total		$ -		

District total for this group		Numbers of lots cut	
1	9	1	
2	5	2	
3	1	3	
4	4	4	
5	0	5	
6	0	6	
7	4	7	
	23		0

*ADD Added in from other Groups
*CBO Cut By Owner
*N/A Taken out by Inspector

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

Ayes: Richardson, Manzie, Small, Williams, 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 AS PART OF THE MAYOR'S INCENTIVE PROGRAM, JOHNATHON LYLES, $500.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-686-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor, upon the 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 employees on the attached list marked as Exhibit A.

These employees are to be commended for their exemplary work performance or innovations that significantly reduce costs or result in an outstanding improvement in service to the public.

Firefighter of the Month			
Last Name	First Name	Award	Date
Lyles	Johnathon	Firefighter of the Month	Sep-18

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

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

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

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH POPE TESTING SERVICES, LLC FOR 2018 CIP CITY-WIDE RESURFACING TO PROVIDE GEOTECHINICAL ENGINEERING SERVICES AND TEST MATERIALS TO BE USED IN CONSTRUCTION, $58,500.00 (PROJECT NO. 2018-3005-13; RSF18; 20002000-48030). The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 9, 2018.

RESOLUTION: 21-687-2018

Sponsored by: Mayor Stimpson

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

Name of company: Pope Testing Services, LLC

Project name: 2018 CIP City Wide Resurfacing, LLC

Project no.: 2018-3005-13

Estimated cost: $58,500.00

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

Councilmember Richardson moved for the suspension of the rules to consider Resolutions 09-689, 09-690, 09-694, 09-695, 09-696, 09-697, 09-698, 09-699, 09-700 and 09-702 being introduced for the first time. The motion was seconded by Councilmember Gregory, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT WITH THE ALABAMA DEPARTMENT OF TRANSPORTATION (ALDOT) FOR DAUPHIN STREET FROM SAGE AVENUE TO

WEST OF I-65 AT SPRINGHILL MEMORIAL HOSPITAL AGREEMENT FOR ROW ACQUISITION. The following resolution was held over for one (1) week until the regular meeting of Tuesday, October 2, 2018.

RESOLUTION: 01-688-2018

Sponsored by: Councilmembers Richardson, Daves and Gregory and Mayor Stimpson

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

Name of company: ALDOT

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

Estimated cost: N/A

REALLOCATE $140,000.00 FROM ENGINEERING & DEVELOPMENT GF10043000-42200, PROFESSIONAL AND TECHNICAL EXPENSE, TO REAL ESTATE ASSET MANAGEMENT, CAPITAL PROJECT C0390 ARCHITECTURAL PROGRAMMING (20002000-42200). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 09-689-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $140,000.00 be re-allocated from Engineering & Development GF 10043000-42200, Professional and Technical Expense, to Real Estate Asset Management, Capital Project C0390 Architectural Programming (20002000-42200).

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

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

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

REALLOCATE $490.00 FROM THE GENERAL FUND, DISTRICT 2 DISCRETIONARY ACCOUNT DSC-02, GENERAL FUND ACCOUNT 10041020-42200 TO THE PARKS & RECREATION DEPARTMENT, REVENUE ACCOUNT 10002032-34497, TO REIMBURSE THEM FOR THE AFRICATOWN COMMUNITY PRIDE DAY AT THE ROBERT L. HOPE COMMUNITY CENTER THAT WAS HELD ON SEPTEMBER 2, 2018. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 09-690-2018

Sponsored by: Councilmember Manzie

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $490.00 to be transferred from the General Fund, District 2 Discretionary Account

DSC-02, General Fund Account 10041020-42200 to the Parks & Recreation Department, Revenue Account 10002032-34497, to reimburse them for the Africatown Community Pride Day at the Robert L. Hope Community Center that was held on September 2, 2018.

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

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

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

REALLOCATE $15,623.06 FROM THE GENERAL FUND, DISTRICT 1 DISCRETIONARY FUNDS, ACCOUNT DSC-01, TO THE CAPITAL IMPROVEMENTS FUND, CAPITAL PROJECT D0013, PRIORITY PROJECTS/DISTRICT 1 CAPITAL FOR VARIOUS DISTRICT 1 CAPITAL PROJECTS. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 09-694-2018

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $15,623.06 be transferred from the General Fund, District 1 Discretionary Funds, Account DSC-01, to the Capital Improvements Fund, Capital Project D0013, Priority Projects/District 1 Capital for various District 1 capital projects.

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

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

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

REALLOCATE $25,335.96 FROM THE GENERAL FUND, DISTRICT 2 DISCRETIONARY FUNDS, ACCOUNT DSC-02, TO THE CAPITAL IMPROVEMENTS FUND, CAPITAL PROJECT D0014, PRIORITY PROJECTS/DISTRICT 2 CAPITAL. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 09-695-2018

Sponsored by: Councilmember Manzie

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $25,335.96 be transferred from the General Fund, District 2 Discretionary Funds, Account DSC-02, to the District 2 Capital Account.

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

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

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

REALLOCATE $4,929.92 FROM THE GENERAL FUND, DISTRICT 3 DISCRETIONARY FUNDS, ACCOUNT DSC-03, TO THE DISTRICT 3 DISCRETIONARY CAPITAL ACCOUNT #D0015. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 09-696-2018

Sponsored by: Councilmember Small

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $4,929.92 be transferred from the General Fund, District 3 Discretionary Funds, Account DSC-03, to the District 3 Discretionary Capital Account.

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

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

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

REALLOCATE $10,795.89 FROM THE GENERAL FUND, DISTRICT 4 DISCRETIONARY FUNDS, ACCOUNT DSC-04, TO THE DISTRICT 4 CAPITAL FUND ACCOUNT #D0016. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 09-697-2018

Sponsored by: Councilmember Williams

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $10,795.89 be transferred from the General Fund, District 4 Discretionary Funds, Account DSC-04, to the District 4 Capital Fund Account.

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

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

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

REALLOCATE $30.002.67 FROM THE GENERAL FUND, DISTRICT 5 DISCRETIONARY FUNDS, ACCOUNT DSC-05, TO DISTRICT 5 DISCRETIONARY CAPITAL ACCOUNT #D001. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 09-698-2018

Sponsored by: Councilmember Daves

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $30,002.67 be transferred from the General Fund, District 5 Discretionary Funds, Account DSC-05, to District 5 Discretionary Capital Account #D001.

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

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

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

REALLOCATE $14,685.54 FROM THE GENERAL FUND, DISTRICT 6 DISCRETIONARY FUNDS, ACCOUNT DSC-06, TO CAPITAL PROJECT #0073-MEDIAN BEAUTIFICATION ACCOUNT, DISTRICT 6. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 09-699-2018

Sponsored by: Councilmember Rich

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $14,685.54 be transferred from the General Fund, District 6 Discretionary Funds, Account DSC-06, to Capital Project #0073-Median Beautification Account, District 6.

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

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

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

REALLOCATE $5,691.07 FROM THE GENERAL FUND, DISTRICT 7 DISCRETIONARY FUNDS, ACCOUNT DSC-07, TO THE DISTRICT 7 CAPITAL FUND ACCOUNT #D0019. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 09-700-2018

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $5,691.07 be transferred from the General Fund, District 7 Discretionary Funds, Account DSC-07, to the District 7 Capital Fund Account.

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

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

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

AUTHORIZE CONTRACT WITH AZALEA CITY GRILL, LLC TO PROVIDE FOOD AND BEVERAGE CONCESSION SERVICES FOR THE AZALEA CITY GOLF COURSE, $800.00 PER MONTH + GROSS REVENUE OVER $20,000.00. The following resolution was held over for two (2) weeks until the regular meeting of Tuesday, October 9, 2018.

RESOLUTION: 21-691-2018

Sponsored by: Councilmember Gregory and Mayor Stimpson

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

ACCEPT ONE PERMANENT DRAINAGE EASEMENT AND ONE RIGHT-OF-ENTRY FOR THE FLORIDA STREET AT KOSSOW STREET DRAINAGE PROJECT #2016-202-02. The following resolution was held over for two (2) weeks until the regular meeting of Tuesday, October 9, 2018.

RESOLUTION: 25-692-2018

Sponsored by: Councilmember Richardson and Mayor Stimpson

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

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

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

AUTHORIZE THE MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE FY2018 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENT GRANT PROGRAM THROUGH THE SOUTHERN RAIL COMMISSION (SRC), $300,000.00 ($150,000.00 LOCAL MATCH). The following resolution was held over for two (2) weeks until the regular meeting of Tuesday, October 9, 2018.

RESOLUTION: 31-701-2018

Sponsored by: Mayor Stimpson

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

BE IT FURTHER RESOLVES that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection \with the grant application and to provide any information required by the Southern Rail Commission.

APPROVE THE APPLICATION OF LOUIS PETER EMOND, KING FUNDRAISING D/B/A KING LIMOS, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A LIMOUSINE SERVICE. The following resolution was held over for two (2) weeks until the regular meeting of Tuesday, October 9, 2018.

RESOLUTION: 37-693-2018

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

ADOPT A BUDGET FOR THE 2018-2019 FISCAL YEAR. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 09-702-2018

RESOLUTION ADOPTING A BUDGET FOR THE 2018-19 FISCAL YEAR FINDINGS

1. The City of Mobile is an Alabama Class II municipal corporation vested with a portion of the state's sovereign power to protect the public health, safety and welfare Ala. Code §§ 11-45-1; 11-44C-10 et seq.

2. All powers of the city are vested in the Council; subject only to such limitations as may be prescribed by law Ala. Code 11-44C-11.

3. In exercising its power, the Council must do so in the manner prescribed by Ala. Code §§ 11-44C-1 through 99, "or if not prescribed, then in such manner as may be prescribed by law or by ordinance."

4. On or about August 20, 2018 and as required by Ala. Code §ll-44C-42, the Mayor submitted an Annual Budget for the council's consideration for the fiscal year beginning October 1, 2018.

5. In accordance with the requirements of Ala. Code § 11-44C-48, the Council held a public hearing on September 4, 2018 to afford citizens an opportunity to be heard and express their views on items in the proposed budget.

6. The Council has listened to citizens' concerns, particularly in regards to the proposed cuts in the library and other services to the community.

7. The Council has also considered the additional information the Mayor provided in response to the Council's questions.

8. Based on the information presented to the Council from the administration and the public, and in accordance with Ala. Code §ll-44C-49, the Council finds and determines that certain expenditures proposed by the Mayor should be revised to more fully comply with legal requirements, to increase transparency and to further the public welfare.

Now therefore BE IT RESOLVED by the City Council of the City of Mobile, Alabama as follows:

9. That proposed Budget, now before the Council and attached hereto as Exhibit A, together with such amendments as that have been approved by the City Council, is hereby adopted as the Budget for the City of Mobile, Alabama for the 2018-2019 fiscal year.

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

Councilmember Williams moved to amend the General Fund Budget as follows:

BUDGET AMENDMENT #1

Decrease Personnel GulfQuest, p. 12	(496,161)
Increase Library, p. 12	+496,161

Note: Contract requires the operator to pay personnel costs, not city.

The move was seconded by Councilmember Rich and the vote was as follows:

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

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

Councilmember Richardson moved to amend the General Fund Budget as follows:

BUDGET AMENDMENT #2

Decrease Communications and External Affairs, p. 5	(181,000)
Decrease I-Team, p. 11	(36,000)
Increase Performance Contracts	+217,000

Note: $192,000 is to restore the proposed decreases to performance contracts. The additional monies will increase the appropriation to Via (Senior Citizens Services, Inc.) from 160,000 to a total of 185,000 to enable important capital improvements.

The move was seconded by Councilmember Williams. Following comments from Councilmember Williams the vote was as follows:

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

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

Councilmember Richardson moved to amend the General Fund Budget as follows:

BUDGET AMENDMENT #3

Decrease I-team, p. 11	(152,000)
Increase Sports Authority, p. 20	+152,000

Note: the increase is earmarked for HBCU Bowl Game.

The move was seconded by Councilmember Williams. Following comments from Councilmember Williams the vote was as follows:

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

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

Councilmember Small moved to amend the General Fund Budget as follows:

BUDGET AMENDMENT #4

Decrease I-Team, p. 11	(140,000)
Increase Mobile Regional Community Center Personnel, p.8	+120,000
Increase Parks & Recreation	+20,000

Note: Parks increase Trimmier Park Playground Equipment (20,000)
Note: MRCC increase is earmarked for SAIL, Art Teacher and Transportation

The move was seconded by Councilmember Richardson. Following comments from Councilmembers Rich, Williams and Small the vote was as follows:

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

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

Councilmember Richardson moved to amend the General Fund Budget as follows:

BUDGET AMENDMENT #5

Decrease I-Team	(100,000)
Increase Engineering	+100,000

Note: The increase earmarked for Hillsdale Community Park and neighborhood improvements.

The move was seconded by Councilmember Williams. Following comments from Councilmember Gregory the vote was as follows:

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

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

Councilmember Richardson moved to amend the General Fund Budget as follows:

BUDGET AMENDMENT #6

Decrease I-Team, p.11	(35,000)
Increase Events Mobile, Inc.	+35,000

Note: For MoonPie Drop

The move was seconded by Councilmember Williams. Following comments from Councilmember Small the vote was as follows:

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

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

Councilmember Williams moved to amend the General Fund Budget as follows:

BUDGET AMENDMENT #7

Decrease I-Team, p. 11	(104,851)
Increase Public Works Administration, p.7	+104,851

Note: the increase is earmarked for Public Services raises, which, when added to the $896,860 already budgeted for incentive pay, results in $1,000,711 available for a 5% merit raises to public works employees.

The move was seconded by Councilmember Small. Following comments from Councilmember Williams the vote was as follows:

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

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

Councilmember Richardson moved to amend the General Fund Budget as follows:

BUDGET AMENDMENT #8

Decrease Council Discretionary Funds, p. 12	(10,500)
Increase City Clerk, personnel p.5	+10,500

The move was seconded by Councilmember Rich and the vote was as follows:

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

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

Councilmember Small moved to amend the General Fund Budget as follows:

BUDGET AMENDMENT #9

Decrease Liability Fund, p.12	(750,000)
Increase Ladd Stadium, Public Parks and Rec., p. 14	+750,000

Note: $200,000 of additional funds are earmarked for the walking/biking trail and $550,000 for maintenance and capital projects for a total appropriation of $950,000.

The move was seconded by Councilmember Rich and the vote was as follows:

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

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

Councilmember Small moved to amend the General Fund Budget as follows:

BUDGET AMENDMENT #10

Decrease Capital Budget $75,000 for each District 1,2,3,6 & 7	(375,000)
Increase Public Works/Miscellaneous Concrete Repairs	+375,000

Note: Additional funds to be used for miscellaneous sidewalk repairs

The move was seconded by Councilmember Rich. Following comments from Councilmembers Williams and Rich the vote was as follows:

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

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

The Presiding Officer called for the vote on the original motion as amended and the vote was as follows:

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

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

ANNOUNCEMENTS:

Each Councilmember thanked the Mayor and administration for their work on the budget and offered their comments on the adopted budget.

Ricardo Woods, City Attorney, requested the budget amendments be provided to the Administration and added to the minutes of the meeting.

Lisa Lambert, City Clerk, announced that the October 2, 2018 meeting has been cancelled due to lack of a quorum. The next regular Council meeting will be held on Tuesday, October 9, 2018.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:21 p.m.

Approved: October 9, 2018

COUNCIL VICE PRESIDENT

CITY CLERK