MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 11, 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 11, 2018, at 9:00 a.m.

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

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 11, 2018.

The Presiding Officer adjourned the meeting.

Approved: September 18, 2018

COUNCIL VICE PRESIDENT

CITY CLERK

MUNCIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 11, 2018

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, September 4, 2018, at 10:30 a.m., in regular meeting.

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

Councilmember Fred Richardson, District 1 Council Representative, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: Council Vice President Manzie asked everyone to remain standing for a moment of silence in memory of the lives lost in the terror attacks on September 11, 2001.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer 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 4, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

John Peavy, Interim Executive Director of Public Works, and Angela May introduced and acknowledged Public Works employees from the Litter, Recycling, Community Service and Oil Spill Division.

Amber Guy, Mobile Public Library, provided the Council with an overview of the Great American Read event.

REPORTS OF COMMITTEES:

None.

NEW COMMITTEE ASSIGNMENTS:

None.

ADOPTION OF THE AGENDA:

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

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

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

APPEALS:

The Council considered the appeal of Jeffrey and Pamela Kent concerning the Architectural Review Board’s denial of the application regarding the retention railing, gate and planters at 1654 Government Street.

Pamela Kent, 1654 Government Street, offered comments supporting her appeal.

Paige Largue, Historic Development Department, explained the position of the Architectural Review Board.

Councilmember Williams moved to hold the appeal over for 60 days, until the regular meeting of Tuesday, November 13, 2018, which motion was seconded by Councilmember Rich and the vote was as follows:

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

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

The Council considered the request of Felicity Manas for a waiver of the Noise Ordinance at the Bragg Mitchell Mansion, 1906 Spring Hill Avenue, on October 27, 2018, from 7:00 p.m. until 11:00 p.m. (District 1).

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

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

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

The Council considered the request of Jennifer E. Moore, Hargrove Foundation, for a waiver of the Noise Ordinance at Cathedral Square Park on September 27, 2018, from 5:30 p.m. until 8:30 p.m. (District 2).

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

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

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

The Council considered the request of Heather Pfefferkorn, The Pillars, for a waiver of the Noise Ordinance at 1757 Government Street on September 29, 2018, from 7:00 p.m. until 10:00 p.m. (District 2).

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

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

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

The Council considered the request of Linda Bell for a waiver of the Noise Ordinance at 1763 Old Canal Street, Apartment 2-A on October 5, 2018, from 7:00 p.m. until 11:00 p.m. (District 2).

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

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

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

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 1:00 a.m. (District 2).

Casey Ginn, 554 St. Francis Street, and John Peebles 107 Lyon Avenue, spoke in opposition of the waiver.

Councilmember Williams moved to hold the waiver over for two (2) weeks until the regular meeting of Tuesday, September 25, 2018, which motion was seconded by Councilmember Rich and the vote was as follows:

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

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

The Council considered the request of Shirley Clark for a waiver of the Noise Ordinance at 1307 McArthur Street on September 23, 2018, from 2:00 p.m. until 9:00 p.m. (District 3).

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

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

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

PUBLIC HEARINGS:

PUBLIC HEARING TO FIX COSTS FOR SECURING OF STRUCTURE AT 1814 CLINTON AVENUE, $2,700.00 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of structure at 1814 Clinton Avenue 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 FIX COSTS FOR SECURING OF STRUCTURE AT 429 AFRICATOWN BOULEVARD, $2,000.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of structure at 429 Africatown Boulevard 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 FIX COSTS FOR SECURING OF STRUCTURE AT 1350 A ST. STEPHENS ROAD, $1,600.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of structure at 1350 A St. Stephens Road 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 FIX COSTS FOR SECURING OF STRUCTURE AT 2663 FAURE DRIVE SOUTH, $2,600.00 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of structure at 2663 Faure Drive South 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 FIX COSTS FOR SECURING OF STRUCTURE AT 1750 VIRGINIA STREET, $1,800.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of structure at 1750 Virginia Street 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 ASSENTING TO THE VACATION OF RIGHTS OF WAY IN KOOIMAN DAIRY ESTATES.

The Presiding Officer announced that today was the day for the public hearing to consider assenting to the vacation of rights of way in Kooiman Dairy Estates 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:

Gary Hart, 414 Vinoy Court, and Fred Love, 3392 Alesmith Drive, thanked the Council for their support of the Hillsdale Heights subdivision.

NON-AGENDA ITEMS:

1. Gregory Dennis, 5919 Warringwood Drive, South, expressed his concerns regarding the Hillsdale Heights subdivision.

2. Reggie Hill, 1007 Center Street, spoke about public safety.

CONSENT RESOLUTIONS HELD OVER:

AUTHORIZE THE MAYOR TO ACCEPT ANY GRANT FUNDS AND TO ENTER INTO A MEMORANDUM OF AGREEMENT FOR PARTICIPATION IN THE SOUTHWEST ALABAMA REGIONAL HIGHWAY SAFETY OFFICE, COMMUNITY TRAFFIC SAFETY PROGRAM (CTSP). The following resolution, which was introduced and read at the regular meeting of Tuesday, September 4, 2018 and held over for one (1) week until the regular meeting of September 11, 2018, was called up by the Presiding Officer.

RESOLUTION: 31-627-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized accept any grant funds and to enter into a Memorandum of Agreement for grant participation with the Southwest Alabama Regional Highway Safety Office, Community Traffic Safety Program (CTSP).

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

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

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

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

RESOLUTIONS HELD OVER:

AUTHORIZE AGREEMENT WITH FOUND DESIGN, LLC, D/B/A MERJE TO LEAD A WAYFINDING SIGNAGE PROGRAM AND STREETSCAPE DESIGN INITIATIVE, $149,750.00 (ALABAMA TRUST FUND MONIES APPROPRIATED IN 2017). The following resolution, which was introduced and read at the regular meeting of Tuesday, September 4, 2018 and held over for one (1) week until the regular meeting of September 11, 2018, was called up by the Presiding Officer.

RESOLUTION: 01-630-2018

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 with Found Design, LLC, d/b/a MERJE, in the amount of $149,750.00, to lead a wayfinding signage program and design standards, 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 that the resolution be adopted, which was seconded by Councilmember Gregory. Following comments from Councilmembers Williams, Rich and Manzie the vote was as follows:

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

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

AUTHORIZE AGREEMENT WITH THE ALABAMA DEPARTMENT OF TRANSPORTATION (ALDOT) FOR DAUPHIN STREET WIDENING FROM SAGE AVENUE TO WEST OF I-65 AT SPRINGHILL MEMORIAL HOSPITAL (SUPPLEMENTAL AGREEMENT #1), $700,000.00 (C0158; 20002000-48020). The following resolution, which was introduced and read at the regular meeting of Tuesday, September 4, 2018 and held over for one (1) week until the regular meeting of September 11, 2018, was called up by the Presiding Officer.

RESOLUTION: 01-631-2018

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 Widening from Sage Avenue to west of 1-65 at Springhill Memorial Hospital

Estimated cost: $700,000.00

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

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

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

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 37-633 – 60-651 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR-CLASS II (PACKAGE STORE) LICENSE FOR SAI PACKAGE STORE, 2306 AIRPORT BOULEVARD, UNIT A, SUITE B. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-633-2018

Sponsored by: Councilmember Richardson

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: Sai Saran, LLC

Location: Sai Package Store

2306 Airport Boulevard, Unit A, Suite B
Mobile, AL 36606

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL EVENTS RETAIL LICENSE FOR 2018 MOBILE GRILLED CHEESE MELTDOWN, 300 CONTI STREET, CATHEDRAL SQUARE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-634-2018

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: Special Events Retail License

Submitted by: PCM Hotels and Resorts, Inc.

Location: 2018 Mobile Grilled Cheese Meltdown
300 Conti Street - Cathedral Square
Mobile, AL 36602

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER (ON/OFF PREMISES) LICENSE FOR MOMMA GOLDBERG'S DELI OLD SHELL, 5602 OLD SHELL ROAD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-635-2018

Sponsored by: Councilmember Gregory

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: Retail Beer (On/Off Premises) License

Submitted by: DBB Restaurant Group, LLC

Location: Momma Goldberg's Deli Old Shell

5602 Old Shell Road
Mobile, AL 36608

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (ON/OFF PREMISES) LICENSE FOR CHALEUR MEHTOD BREW AND ESPRESSO, 1714 DAUPHIN STREET, SUITE C. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-636-2018

Sponsored by: Councilmember Manzie

BE IT RESOLVED BY THE CITY CGUNCIL 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: Retail Beer/Table Wine (On/Off Premises) License

Submitted by: Chaleur Method Brew and Espresso, LLC

Location: Chaleur Method Brew and Espresso
1714 Dauphin Street, Suite C
Mobile, AL 36606

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR ZEIGLER CHEVRON, 5454 ZEIGLER BOULEVARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-637-2018

Sponsored by: Councilmember Gregory

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: Retail Beer/Table Wine (Off Premises Only) License

Submitted by: A and A H, LLC

Location: Zeigler Chevron

5454 Zeigler Boulevard
Mobile, AL 36608

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR-CLASS I LICENSE FOR WILLIE'S PLACE, 352 ST. FRANCIS STREET. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-638-2018

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: Lounge Retail Liquor-Class I License

Submitted by: Twin G Enterprises, LLC

Location: Willie's Place
352 St. Francis Street
Mobile, AL 36602

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

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

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

FIX COSTS FOR SECURING OF STRUCTURE AT 1814 CLINTON AVENUE, $2,700.00 (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-639-2018

Sponsored by: Councilmember Richardson

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF STRUCTURE AT 1814 Clinton Avenue

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the fixing of cost for the securing of structure at 1814 Clinton Avenue and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of structure at 1814 Clinton Avenue to be $2,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to, be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of $2,700.00 shall constitute a special assessment against the property at 1814 Clinton Avenue and being that property more particularly described as follows:

E 44 FT OF THE S 1/2 OF LOT 31 LEWIS ADDN TO TOULMINVILLE DBK 156 P 260 #SEC 44 T4S R1W #MP29 02 44 0 023

Parcel #: 29 02 44 0 023 272.031

Last assessed to: KISER SAMUEL J
1818 TOULMIN AVE
MOBILE, AL 36617

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

FIX COSTS FOR SECURING OF STRUCTURE AT 429 AFRICATOWN BOULEVARD, $2,000.00 (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-640-2018

Sponsored by: Councilmember Manzie

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF STRUCTURE AT 429 Africatown Boulevard

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the fixing of cost for the securing of structure at 429 Africatown Boulevard and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of structure at 429 Africatown Boulevard to be $2,000.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of $2,000.00 shall constitute a special assessment against the property at 429 Africatown Boulevard and being that property more particularly described as follows:

BEG AT PT 335 FT S W OF INT OF S/S BAY BRIDGE RD & W/S S MAGAZINE RD CONT W 105 FT S TH SLY 135 FT S TH ELY 100 FT S TH NELY 60 FT S TH NLY 90 FT S TO PT OF BEG BEING PT OF LOT 9 L M WILSON SUB DBK 156 PG 335 LESS ADDL ROW INTO BAY BRIDGE RD #SEC 44 T4S R1W #MP29 02 44 0 003

Parcel #: 29 02 44 0 003 147

Last assessed to: MOBILE CITY OF
C/O CAFFEY RICKY
710 PARLIAMENT ST
LITTLE ROCK, AR 72211-2046

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

FIX COSTS FOR SECURING OF STRUCTURE AT 1350 A ST. STEPHENS ROAD, $1,600.00 (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-641-2018

Sponsored by: Councilmember Manzie

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF STRUCTURE AT 1350 A St Stephens Road

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the fixing of cost for the securing of structure at 1350 A St. Stephens Road and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of structure at 1350 A St. Stephens Road to be $1,600.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of $1,600.00 shall constitute a special assessment against the property at 1350 A St. Stephens Road and being that property more particularly described as follows:

S 1/2 OF FOLL DESC PPTY LOT 1 BLK 4 LEXINGTON HGTS ADDN DBK 70 NS P 126 #SEC 25 T4S R1W #MP29 07 25 0 005

Parcel #: 29 07 25 0 005 128.01

Last assessed to: BILBO KARLA, HAROLD II, KATHERINE, KAREN
& MATTHEW
2868 BROSSETT ST
MOBILE, AL 36606-2759

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

FIX COSTS FOR SECURING OF STRUCTURE AT 2663 FAURE DRIVE SOUTH, $2,600.00 (DISTRICT 4). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-642-2018

Sponsored by: Councilmember Williams

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF STRUCTURE AT 2663 Faure Drive South

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the fixing of cost for the securing of structure at 2663 Faure Drive South and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of structure at 2663 Faure Drive South to be $2,600.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of $2,600.00 shall constitute a special assessment against the property at 2663 Faure Drive South and being that property more particularly described as follows:

LOT 202 GULF MANOR 2ND ADDN MBK 9 PG 121 #SEC 36 T5S R1W #MP32 03 36 0 003

Parcel #: 32 03 36 0 003 011

Last assessed to: HARMAC LLC
P.O. BOX 1431
MOBILE, AL 36633

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

FIX COSTS FOR SECURING OF STRUCTURE AT 1750 VIRGINIA STREET, $1,800.00 (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-643-2018

Sponsored by: Councilmember Manzie

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF STRUCTURE AT 1750 Virginia Street

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the fixing of cost for the securing of structure at 1750 Virginia Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council, of the City of Mobile showing the costs involved in the securing of structure at 1750 Virginia Street to be $1,800.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of $1,800.00 shall constitute a special assessment against the property at 1750 Virginia Street and being that property more particularly described as follows:

BEG AT NW COR WEINACKERS AVE (MARYS LN) & VIRGINIA ST RUN W ALG N/S VIRGINIA ST 176 FT THEN N P AR TO WEINACKERS AVE (MARYS LN) 50 FT THEN E 170.75 FT THEN S ALG W/L WEINACKER AVE 50 FT TO BEG BEING PART LOT 8 SO 1 PORTERS 2ND ADD 2ND DBK 87 N S P 73 #SEC 28 T4S R1W #MP29 10 28 1 004

Parcel #:	29 10 28 1 004 006
Last assessed to:	TAYLOR ALFREDA 1357 GREENWOOD AVE MOBILE, AL 36605

and the assessment hereby made-and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

DETERMINE EXPENDITURE OF DISCRETIONARY FUNDS FOR CONTRIBUTION TO THE PROVIDENCE HOSPITAL FOUNDATION FESTIVAL OF FLOWERS SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION:	60-644-2018
Sponsored by:	Councilmember Williams

RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Williams wishes to donate $2,000.00 to Providence Hospital Foundation Festival of Flowers from his discretionary funds, and

WHEREAS, Providence Hospital Foundation Festival of Flowers is an Alabama non-profit corporation which provides quality healthcare to the sick and poor of the Mobile area; and

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

WHEREAS, the Mobile City Council determines that this contribution to the Providence Hospital Foundation will be used for their annual Festival of Flowers "Seminars and Demonstration" venue to be held March 21-24, 2019, and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the Providence Hospital Foundation Festival of Flowers serves a public purpose and further approves and directs the payment of same.

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

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

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

DETERMINE EXPENDITURE OF DISCRETIONARY FUNDS FOR CONTRIBUTION TO THE HILLSDALE COMMUNITY DEVELOPMENT CORPORATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-651-2018

Sponsored by: Councilmember Gregory

RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS. Councilmember Gregory wishes to donate $6,000.00 to the Hillsdale Community Development Corporation from her discretionary funds; and

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

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

WHEREAS, the Mobile City Council finds and determines that the Hillsdale Community Development Corporation will provide neighborhood improvements, including landscaping, median improvements, and improvements to the Hillsdale Recreation Center for the benefit of citizens of the City of Mobile and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the Hillsdale Community Development Corporation serves a public purpose and further approves and directs the payment of same.

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

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

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

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

Councilmember Richardson moved for the suspension of the rules to consider CIP Resolution 21-645 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the item.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH HUTCHINSON, MOORE AND RAUCH, LLC FOR HACKMEYER PARK-DRAINAGE REPAIRS AND PARK IMPROVEMENTS, $18,850.00

(PR-060-18; 2018 CIP #2017-351; C0359; D5). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-645-2018

Sponsored by: Councilmember Daves and Mayor Stimpson

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

Project name: Hackmeyer Park - Drainage Repairs and Park Improvements

Project number: PR-060-18

Amount: $18,850.00 (2018 CIP #2017-351)

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

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

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

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT WITH THE ALABAMA STATE PORT AUTHORITY, AUSTAL USA, LLC, AND BAE SYSTEMS SOUTHEAST SHIPYARDS ALABAMA, LLC, THAT FOLLOWING THE AWARD OF A CONSTRUCTION CONTRACT BY THE ALABAMA DEPARTMENT OF TRANSPORTATION (ALDOT) TO REPLACE AND REPAIR THE PINTO PASS BRIDGE AND THE PAYMENT TO THE CITY, THE CITY WILL ACCEPT THE RIGHT OF WAY FOR THE BRIDGE AND ACCESS EASEMENTS. The following resolution was held over for one (1) week until the regular meeting of Tuesday, September 18, 2018.

RESOLUTION: 01-650-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COI.INCIL 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 Alabama State Port Authority, Austal USA, LLC, and BAE Systems Southeast Shipyards Alabama, LLC, (the parties excluding the City hereinafter referred to as the "Contracting Parties") to provide that, following the award of a construction contract by the Alabama Department of Transportation ("ALDOT") to replace and repair the pinto pass Bridge (the "Project") (which bridge is currently owned and used by the Contracting parties), and the payment to the City of $800,000 by the Contracting Parties towards the cost of the Project (which Project will be completed at no cost to the City); the City will accept the right of way for the bridge and access easements, 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.

RE-ALLOCATE $140,000.00 FROM THE CAPITAL PROJECT (C01158), MPO DAUPHIN STREET (SAGE AVENUE TO WEST OF I-65 AT SPRINGHILL MEMORIAL HOSPITAL) 20002000.48020 ENGINEERING FEES TO GRANT FUND (50015001-93030) ENGINEERING FEES, MPO DAUPHIN STREET (SAGE AVENUE TO WEST OF I-65 AT SPRINGHILL MEMORIAL HOSPITAL), DISTRICT 1, 5 AND 7). The following resolution was held over for one (1) week until the regular meeting of Tuesday, September 18, 2018.

RESOLUTION: 09-646-2018

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

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the sum of $140,000.00 be reallocated from Capital Project (C0158), MPO Dauphin St (Sage Avenue to west of I-65 at Springhill Memorial Hospital) 20002000.48020 Engineering Fees to Grant Fund (50015001-93030) Engineering Fees, MPO Dauphin St (Sage Avenue to west of I-65 at Springhill Memorial Hospital), District 1, 5, & 7.

RE-ALLOCATE $1,007.40 FROM THE GENERAL FUND, DISTRICT 7 DISCRETIONARY ACCOUNT DSC-07, GENERAL FUND ACCOUNT 10041020-42080 TO THE PUBLIC BUILDING DEPARTMENT, GENERAL FUND OPERATING ACCOUNT 10043035-44020, TO REIMBURSE THEM FOR PAINT/SUPPLIES FOR WORK DONE AT LANGAN PARK. The following resolution was held over for one (1) week until the regular meeting of Tuesday, September 18, 2018.

RESOLUTION: 09-647-2018

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $1,007.40 be transferred from the General Fund, District 7 Discretionary Account DSC-07, General Fund Account 10041020-42080 to the Public Building Department. General Fund Operating Account 10043035-44020, to reimburse them for paint/supplies for work done at Langan Park for power washing the pavilions, restrooms and painting the exteriors.

ASSENT TO THE VACATION OF RIGHTS OF WAY IN KOOIMAN DAIRY ESTATES. The following resolution was held over for one (1) week until the regular meeting of Tuesday, September 18, 2018.

RESOLUTION: 47-648-2018

WHEREAS, S. Graham Golden, Jr., Brenda B. Golden, Van Golden, individually, and as Personal Representative of the Estates of Sanford G. and Lavina V. Golden, Deceased, Michael R. Philips, Sr. and Mobama, LLC, an Alabama limited liability company, as the owners of all of the land abutting the following described rights of way situated in Mobile County, Alabama, have requested the Mobile City Council to assent to the vacation and closing by them as abutting owners of the rights of way hereinafter described;

WHEREAS, it has been shown to the satisfaction of the Mobile City Council that S. Graham Golden, Jr., Brenda B. Golden, Van Golden, individually, and as Personal Representative of the Estates of Sanford G. and Lavina V. Golden, Deceased, Michael R. Philips, Sr. and Mobama, LLC, an Alabama limited liability company, are the abutting owners of said rights of way, that the same are not needed as a public road in the City of Mobile, Alabama, that the vacation of same will not deprive any other property owners of any rights as they may have, and that it would be to the best interest of the Mobile City Council to vacate the same;

WHEREAS, said owners have consented to this vacation;

NOW, THEREFORE, BE IT RESOLVED, by the Mobile City Council that its assent be, and it is hereby given to S. Graham Golden, Jr., Brenda B. Golden, Van Golden, individually, and as Personal Representative of the Estates of Sanford G. and Lavina V. Golden, Deceased, Michael R. Philips, Sr. and Mobama, LLC, an Alabama limited liability company, as the abutting owners, to the vacation and closing by them of the following rights of way, more particularly described as follows:

See Exhibit A attached hereto and made a part hereof.

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

The Declaration of Vacation and this Resolution assenting to the vacation of said property, upon adoption by the Mobile City Council, be recorded in the Probate Court of Mobile County, Alabama, and a certified copy of the Resolution shall be immediately delivered to the Tax Assessor's Plat Room so that this property may be reassessed in the names of the new owners;

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

Entities with utility lines, equipment or facilities in place at the time of vacation, shall have the right to continue to maintain, extend, and enlarge their lines, equipment and facilities to the same extent as if the vacation had not occurred.

EXHIBIT “A”

LOT 3 VACATED ROW DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE SOUTH 00°09'00" EAST A DISTANCE OF 30.00 FEET TO A POINT; THENCE NORTH 89°52'00" EAST A DISTANCE OF 186.80 FEET TO A POINT; THENCE NORTH 00°09'00" WEST A DISTANCE OF 30.00 FEET TO A POINT; THENCE SOUTH 89°52'00" WEST A DISTANCE OF 186.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 5604 SQUARE FEET (0.13 ACRES), MORE OR LESS.

LOT 5 VACATED ROW DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 5, KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE NORTH 89°52'00" EAST A DISTANCE OF 30.00 FEET TO A POINT; THENCE NORTH 00°09'00" WEST A DISTANCE OF 162.86 FEET TO A POINT; THENCE SOUTH 89°46'42" WEST A DISTANCE OF 55.00 FEET TO THE POINT OF CURVATURE OF A NON-TANGENTIAL 25.00' RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 39.30 FEET (CHORD BEARS SOUTH 45°11'09" EAST, 35.38') TO A POINT; THENCE SOUTH 00°09'00" EAST A DISTANCE OF 137.78 FEET TO THE POINT OF BEGINNING AND CONTAINING 5016 SQUARE FEET (0.12 ACRES), MORE OR LESS.

LOT 6 VACATED ROW SOUTH DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 6, KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE SOUTH 00°09'00" EAST A DISTANCE OF 30.00 FEET TO A POINT; THENCE NORTH 89°52'00" EAST A DISTANCE OF 173.00 FEET TO A POINT; THENCE NORTH 00°09'00" WEST A DISTANCE OF 30.00 FEET TO A POINT; THENCE SOUTH 89°52'02" WEST A DISTANCE OF 173.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 5190 SQUARE FEET (0.12 ACRES), MORE OR LESS.

LOT 6 VACATED ROW EAST DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF LOT 6, KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE NORTH 89°52'00" EAST A DISTANCE OF 30.00 FEET TO A POINT; THENCE SOUTH 00°09'00" EAST A DISTANCE OF 128.33 FEET TO A POINT; THENCE SOUTH 89°52'00" WEST A DISTANCE OF 30.00 FEET TO A POINT; THENCE NORTH 00°09'00" WEST A DISTANCE OF 128.33 FEET TO THE POINT OF BEGINNING AND CONTAINING 3849 SQUARE FEET (0.09 ACRES), MORE OR LESS.

LOT 7 VACATED ROW DESCRIPTION

BEGINNING AT THE NORTHWEST CORNER OF LOT 7, KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE SOUTH 89°52'00" WEST A DISTANCE OF 30.00 FEET TO A POINT; THENCE SOUTH 00°09'00" EAST A DISTANCE OF 128.33 FEET TO A POINT; THENCE NORTH 89°52'00" EAST A DISTANCE OF 30.00 FEET TO A POINT; THENCE NORTH 00° 09'00" WEST A DISTANCE OF 128.33 FEET TO THE POINT OF BEGINNING AND CONTAINING 3851 SQUARE FEET (0.09 ACRES), MORE OR LESS.

LOT 8 VACATED ROW DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 8, KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE SOUTH 89°52'00" WEST A DISTANCE OF 30.00 FEET TO A POINT; THENCE NORTH 00°09'00" WEST A DISTANCE OF 162.86 FEET TO A POINT; THENCE NORTH 89°46'42" EAST A DISTANCE OF 55.00 FEET TO THE POINT OF CURVATURE OF A NON-TANGENTIAL 25.00' RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 39.24 FEET (CHORD BEARS SOUTH 44°48'51" WEST, 35.33') TO A POINT; THENCE SOUTH 00°09'00" EAST A DISTANCE OF 137.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 5024 SQUARE FEET (0.12 ACRES), MORE OR LESS.

LOT 19 VACATED ROW DESCRIPTION

BEGINNING AT THE NORTHWEST CORNER OF LOT 19, KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE NORTH 00°09'00" WEST A DISTANCE OF 30.00 FEET TO A POINT; THENCE NORTH 89°52'00" EAST A DISTANCE OF 173.00 FEET TO A POINT; THENCE SOUTH 00°09'00" EAST A DISTANCE OF 30.00 FEET TO A POINT; THENCE SOUTH 89°52'00" WEST A DISTANCE OF 173.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 5190 SQUARE FEET (0.12 ACRES), MORE OR LESS.

LOT 20 VACATED ROW DESCRIPTION

BEGINNING AT THE NORTHWEST CORNER OF LOT 20, KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE NORTH 00°09'00" WEST A DISTANCE OF 30.00 FEET TO A POINT; THENCE NORTH 89°52'00" EAST A DISTANCE OF 186.80 FEET TO A POINT; THENCE SOUTH 00°09'00" EAST A DISTANCE OF 30.00 FEET TO A POINT; THENCE SOUTH 89°52'00" WEST A DISTANCE OF 186.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 5604 SQUARE FEET (0.13 ACRES), MORE OR LESS.

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO 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 introduced by Councilmember Richardson.

RESOLUTION: 41-649-2018

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.

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

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider 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 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 Tuesday, the 25th day of September, 2018, 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.

Councilmember Richardson then moved to call for the public hearing, which move was seconded by Councilmember Rich, and the vote was as follows:

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

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as September 25, 2018.

ANNOUNCEMENTS:

Councilmember Richardson announced a community meeting will be held on Thursday, September 20, 2018, 6:00 p.m., at the Toulminville Library.

Councilmember Rich detailed several events being held in observance of "Childhood Cancer Awareness Month."

Councilmember Gregory thanked Nick Amberger for meeting with residents near Lavretta Park to discuss drainage issues.

City Attorney Ricardo Woods reminded the public that The Archdiocese of Mobile will pray for first responders today at the annual Blue Mass at the Cathedral-Basilica of the Immaculate Conception.

City Clerk Lisa Lambert acknowledged that the declaration shown below is on record in her office.

ADAMS AND REESE LLP

Attorneys at Law
Alabama
Florida
Georgia
Louisiana
Mississippi
South Carolina
Tennessee
Texas
Washington, DC

C. Britton Bonner
Practice Team Leader
Admitted in Alabama, Louisiana and District of Columbia
Direct: 251.650.0862
E-Fax: 251.650.2060
britton.bonner@arlaw.com

September 10, 2018

Mr. Levon Manzie
Vice President
Mobile City Council
City of Mobile
205 Government Street
Mobile, Alabama 36602

RE: EXECUTIVE SESSION FOR SEPTEMBER 11, 2018

Dear Mr. Manzie:

I have been retained by the City to represent its interests in negotiations regarding certain recruitment or retention efforts involving matters of trade or commerce. I assert that the planned discussion within the proposed Executive Session meets the requirements of Section 36-25A-7 of the Alabama Open Meetings Act. In particular, the Executive Session is necessary to discuss preliminary negotiations involving matters of trade or commerce in which the City is in competition with private entities and other governmental bodies, and I have personal knowledge that the discussion will involve information of the character described in the Alabama Trade Secrets Act. I hereby assert that such discussions, if entered into the minutes or disclosed outside of an Executive Session, would have a detrimental effect upon the competitive position of the City and upon the location, retention, expansion, or upgrading of a business entity in the City.

According to the Open Meetings Act, and in particular Alabama Code Section 36-25A-7(b), the majority of the Council must be present at a lawfully convened meeting and, prior to adjourning, must adopt by a recorded vote a motion calling for the Executive Session and setting out the purpose of the Executive Session. The vote of each member must be recorded in the minutes. Prior to calling the Executive Session to order, the presiding officer must state whether the Council will reconvene after the Executive Session, and, if so, state the approximate time the body expects to reconvene.

Very truly yours,

C. Britton Bonner

CBB/jm

RSA Tower | 11 North Water Street, Suite 23200 (36602) | P.O. Box 1348 | Mobile, Alabama 36633-1348 | 251.433.3234 | Fax 251.438.7733
20 F Street NW, Suite 500, Washington, DC 20001 | 202.737.3234
www.adamsandreese.com

Mr. Britton Bonner, attorney with Adams and Reese, LLP, stated:

"This matter is consistent with exception to the Open Meetings Act. In order to move into Executive Session we need a roll call vote from this Council. You are not going to be expected to take any action coming out of the Executive Session. You can anticipate it taking about 45 minutes and not returning."

Councilmember Daves moved to convene into Executive Session and to not reconvene the regular Council meeting after the Executive Session, which move was seconded by Councilmember Manzie and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:44 p.m.

Approved: September 18, 2018

COUNCIL VICE PRESIDENT

CITY CLERK