

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 8, 2020

The Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, September 8, 2020, at 9:00 a.m.

Present:

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

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

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 8, 2020

The City Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, September 8, 2020, at 10:30 a.m., in regular meeting.

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

Dr. Clint Archer, Sr., Pastor, Christ Fellowship Baptist, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer provided an overview of the City Council rules of procedure, to include special provisions to facilitate social distancing because of the Covid-19 virus.

APPROVAL OF MINUTES:

The minutes of the meeting of September 1, 2020, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson gave an update on COVID-19 cases.

Mayor Stimpson announced that he delivered the "State of the City" address last week.

Mayor Stimpson stated that updates are being made to the permitting process that should simplify it for citizens.

ADOPTION OF THE AGENDA:

Councilmember Daves moved to adopt the agenda and declare the items on the agenda Essential/Covid-19 related, which move was seconded by Councilmember Williams and the vote was as follows:

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

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the agenda adopted and all items declared Essential/Covid-19 related.

APPEALS

Request of Shirley Clark, 140 Silverwood Street, for a waiver of the Noise Ordinance on September 26, 2020, from 3:00-10:00 p.m. (District 1).

Councilmember Richardson moved to grant the waiver, which motion 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Reggie Hill, 1007 Center Street, addressed Ordinance 34-026.

NON-AGENDA ITEMS:

1. Reggie Hill, 1007 Center Street, offered commentary related to the Police Citizens' Community Relations Advisory Council, public safety measures within the city, performance contracts and public housing matters.

ESSENTIAL/COVID-19 ITEMS HELD OVER:

ORDINANCE TO AMEND THE CAPITAL IMPROVEMENT PLAN. The following ordinance, which was introduced and read at the regular meeting of August 18, 2020, and held over until the regular meetings of August 25 and September 1 and 8, 2020, was called up by the Presiding Officer.

ORDINANCE: 34-026-2020

Sponsored by: Councilmember Manzie

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

Section 1. Findings/Purpose.

(a) On October 2, 2012, the Council adopted Ordinance No. 34-028, which levied an additional one-cent sales and use tax upon persons engaged in the business of selling tangible personal property within the City and its police jurisdiction. The ordinance provided for the dedication of the proceeds, and further established a sunset date of July 31, 2015.

(b) On September 16, 2014, the Council adopted Ordinance No. 34-039 which established a new sunset date for said tax of September 30, 2018.

(c) On November 18, 2014, the Council adopted Ordinance No. 34-052 to amend the dedication of proceeds. The purpose of that amendment was to ensure a funding source for much-needed capital improvements throughout the city, and to provide for an even

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distribution of funding throughout the seven council districts for the ongoing maintenance and renewal of streets, sidewalks, drainage, parks, and other key infrastructure vital to the public health, safety and welfare.

(d) On August 11, 2015, the Council adopted Resolution No. 60-496 creating a three-year capital improvement plan which identified and rated more than 200 infrastructure projects.

(e) On February 6, 2018 the Council adopted Ordinance 34-003 which established a new sunset date for the one-cent tax increase as September 30, 2023. The purpose of the new sunset date was to secure a stable funding source so that the capital planning horizon could be extended from three to five years. It is estimated that the one-cent extension of the sales tax generates 31 million dollars per year.

(f) On July 10, 2018, the Council adopted Ordinance 34-017 further amending the dedication of the use of the proceeds from the one-cent sales and use tax identified above.

(g) The purpose of this ordinance is to further amend the capital improvement plan to include an option for application of certain funds to neighborhood revitalization projects.

Section. 2. Amendment/Dedication.

The unnumbered section of Ordinance 34-028-2012 that follows Section 3.(b)(2) thereof, entitled "Dedication," as amended by Ordinances 34-039-2014, 34-052-2014 and 34-017-2018, is hereby amended and restated in its entirety to read as follows:

DEDICATION: Beginning with fiscal year 2020-2021 on October 1, 2020, and each year thereafter, the proceeds from the additional one-cent sales and use tax levied and collected pursuant to this Ordinance shall be dedicated and allocated as follows:

(1) Three million dollars for each of the seven council districts to be applied towards miscellaneous capital improvement projects and neighborhood revitalization projects (NRPs), for a total of 21 million dollars, each labeled as follows: "Miscellaneous Capital Improvements/NRPs-District 1; Miscellaneous Capital Improvements/NRPs-District 2; Miscellaneous Capital Improvements/NRPs-District 3; Miscellaneous Capital Improvements/NRPs-District 4; Miscellaneous Capital Improvements/NRPs-District 5; Miscellaneous Capital Improvements/NRPs-District 6; Miscellaneous Capital Improvements/NRPs-District 7;

(2) Four million dollars to be used for municipal buildings, infrastructure studies, and other citywide capital expenses; and

(3) Any amount exceeding the 25 million dollars allocated above that is attributable to the additional one-cent sales and use tax last extended by Ordinance No. 34-003, (estimated at approximately 6 million dollars) shall be allocated to such other capital expenditures as may be approved by the Council.

Section 3. Miscellaneous.

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

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

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

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

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

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

APPROVE PURCHASE ORDER TO TOOMEY EQUIPMENT CO. INC. FOR MOWERS FOR THE PARKS DEPARTMENT, \$34,908.00. The following resolution, which was introduced and read at the regular meeting of September 1, 2020, and held over until the regular meeting of September 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-643-2020

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>14618</u>	2020	(2012) PARKS MAINTENANCE	2 LAND PRIDE AFM 4216 TRI-DECK FINISHING MOWERS (SEALED BID 5456)	\$34,908.00	(205775) <u>TOOMEY EQUIPMENT CO INC</u>

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

The resolution was read by the City Clerk; whereupon Councilmember Williams 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.

APPROVE PRUCHASE ORDER TO GRAYBAR ELECTRIC CO. INC. FOR STREET LIGHT LUMINAIRES, \$111,430.24. The following resolution, which was introduced and read at the regular meeting of September 1, 2020, and held over until the regular meeting of September 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-644-2020

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>16450</u>	2020	(2062) ELECTRICAL	136 NAVION LED STREET LIGHT LUMINAIRES (SEALED BID 5413)	\$111,430.24	<u>(075199)</u> <u>GRAYBAR</u> <u>ELECTRIC CO INC</u>

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

The resolution was read by the City Clerk; whereupon Councilmember Williams 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.

APPROVE PURCHASE ORDER TO E-BUILDER, INC. FOR ANNUAL LICENSE RENEWAL, \$55,574.36. The following resolution, which was introduced and read at the regular meeting of September 1, 2020, and held over until the regular meeting of September 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-645-2020

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>14207</u>	2020	(2045) MAJOR PROJECTS	ANNUAL LICENSE RENEWAL FOR E-BUILDER PROJECT MANAGEMENT SOFTWARE (GSA CONTRACT)	\$55,574.36	<u>(295201) E-BUILDER, INC</u>

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

The resolution was read by the City Clerk; whereupon Councilmember Williams 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.

AUTHORIZE A GRANT APPLICATION TO THE SOUTH ALABAMA REGIONAL PLANNING COMMISSION FOR TITLE III FUNDING (CITY'S MATCH \$60,904.00). The following resolution, which was introduced and read at the regular meeting of September 1, 2020, and held over until the regular meeting of September 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 31-647-2020

Sponsored by: Mayor Stimpson

WHEREAS, the City Council of the City of Mobile, Alabama, finds that the subject of this Resolution is either necessary to respond to COVID 19, or necessary to perform essential minimum functions of the Council and the Mayor is authorized to apply, accept and receive Title III Funding from the South Alabama Regional Planning Commission in the amount of \$50,000.00.

BE IT FURTHER RESOLVED 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 South Alabama Regional Planning Commission. Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

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BE IT FURTHER RESOLVED that the Council authorizes the expenditure of \$60,904.00 as a Local Cash match, and \$135,648.00 as In-Kind matching funds, in the event this grant is received.

The resolution was read by the City Clerk; whereupon Councilmember Williams 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.

AUTHORIZE CONTRACT WITH THOMPSON ENGINEERING, INC. FOR CONSTRUCTION ENGINEERING, INSPECTION, MATERIALS SAMPLING AND TESTING AND CONTRACT ADMINISTRATION FOR ZEIGLER BOULEVARD (ATHEY ROAD TO FOREST HILL DRIVE) \$1,778,052.00. The following resolution, which was introduced and read at the regular meeting of September 1, 2020, and held over until the regular meeting of September 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-648-2020

Sponsored by: Councilmember Gregory and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for 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.

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

Name of Company: Thompson Engineering, Inc.

Project Name: Zeigler Blvd (Athey Rd. to Forest Hill Dr.)
COM Project No. 2007-202-02
ALDOT Project Number STPMB-7550 (600)

Estimated Cost: \$1,778,052.00

The resolution was read by the City Clerk; whereupon Councilmember Williams 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.

ELECT TO PROVIDE TIER I RETIREMENT BENEFITS TO TIER II PLAN MEMBERS. The following resolution, which was introduced and read at the regular meeting of September 1, 2020, and held over until the regular meeting of September 8, 2020, was called up by the Presiding Officer.

RESOLUTION: 60-659-2020

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Sponsored by: Councilmembers Williams & Rich and Mayor Stimpson

WHEREAS, under the provisions of Act 2019-132, employers who participate in the Employees' Retirement System pursuant to Ala. Code § 36-27-6 may elect to provide Tier I retirement benefits to Tier II plan members; and,

WHEREAS, the City of Mobile ("City") participates in the Employees' Retirement System pursuant to Ala. Code § 36-27-6 and wishes to improve retirement benefits for its Tier II plan members;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MOBILE, that the City elects to provide Tier I retirement benefits to its Tier II plan members, subject to approval of the Employees' Retirement System Board of Control; that, if approved, such election shall be effective the following fiscal year and is irrevocable.

BE IT FURTHER RESOLVED that the City has reviewed the actuarial cost estimates provided by the Employees' Retirement System for such election and agrees to pay any resulting increases in the employer contribution rate.

BE IT FURTHER RESOLVED that beginning in the month that such election is effective, the City's Tier II plan members shall contribute 7.5% of their earnable compensation to the Employees' Retirement System to the Employees' Retirement System, as required by Act 2019-132.

BE IT FURTHER RESOLVED that the City has not increased the member contribution rates for its Tier I members as provided by Act 2011-676 and, as required by Ala. Code § 36-27-6.5, the City has submitted to the Employees' Retirement System a plan to increase such rates.

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

The resolution was read by the City Clerk; whereupon Councilmember Williams 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.

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

Councilmember Williams moved for the suspension of the rules to consider Essential/Covid-19 item 58-667, being introduced for the first time, the motion was seconded by Councilmember Rich 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.

ESSENTIAL/COVID19 ITEMS BEING INTRODUCED:

APPROVE PURCHASE ORDER TO OFFICE EQUIPMENT COMPANY OF MOBILE INC. FOR FURNITURE FOR CONVENTION CENTER, \$54,989.22. The following resolution was held over until the regular meeting of September 15, 2020.

RESOLUTION: 08-663-2020

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Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>15119</u>	2020	(F6080) CONVENTION CENTER	BENCHES, CHAIRS, TABLES FOR CONVENTION CENTER (AL STATE CONTRACT)	\$54,989.22	<u>(150500) OFFICE EQUIPMENT COMPANY OF MOBILE INC.</u>

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

RE-ALLOCATE \$200,000.00 FROM THE CRUISE TERMINAL FY'20 OPERATING ACCOUNT-SECURITY TO PUBLIC FACILITY IMPROVEMENT CAPITAL PROJECT (C0019) FOR PARKING DECK STRUCTURAL REPAIRS. The following resolution was held over until the regular meeting of September 15, 2020.

RESOLUTION: 09-664-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that, in order to perform essential minimum functions of the Council, it is necessary to re-allocate the sum of \$200,000 from City of Mobile, Alabama Cruise Terminal FY'20 Operating account - Security (6020-42210) to Public Facility Improvement Capital Project (C0019) for CRUISE TERMINAL PARKING DECK STRUCTURAL REPAIRS in order to make critical structural repairs to the parking deck.

AUTHORIZE CONTRACT WITH C. THORNTON, INC. FOR SIDEWALKS ALONG OLD SHELL ROAD BETWEEN UNIVERSITY BOULEVARD & PARKWAY DR. WEST, \$323,759.00. The following resolution was held over until the regular meeting of September 15, 2020.

RESOLUTION: 21-665-2020

Sponsored by: Councilmember Gregory

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the 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 the construction of sidewalk and

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handicap ramps along Old Shell Road between University Boulevard and Parkway Street West 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: C Thornton, Inc.

Project Name: COM 2020-2060-07 Federal Aid
Project TAPMB-TA17(950)
Sidewalks along Old Shell Road
between University & Parkway W

Capital Project No.: G-TAPOLD SH

Amount: \$323,759.00

ACCEPT DEED FOR THE DONATION OF LAND ALONG THREE MILE CREEK AND GORDON SMITH CENTER DRIVE FOR THE THREE MILE CREEK GREENWAY TRAIL.
The following resolution was held over until the regular meeting of September 15, 2020.

RESOLUTION: 23-666-2020

Sponsored by: Councilmember Richardson and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and hereby are, authorized to accept a Deed for the donation of approximately 1.76 acres of land located along Three Mile Creek and Gordon Smith Center Drive as set out in the instrument attached hereto and that is necessary to perform essential minimum functions of the Council.

Said property is being conveyed to the City of Mobile by The Gordon Smith Center, Incorporated and is to be used for public recreational space for the Three Mile Creek Greenway Trail.

DECLARE WEEDS NOXIOUS, WEED LIEN GROUP 1607. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-667-2020

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

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

WHEREAS, Parcels Nos. 1 through 19 described in the resolution adopted on the 30th day of June, 2020, have not been cleared of noxious and dangerous weeds and continue to be public nuisances.

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

SECTION 1. It is hereby ascertained and determined that the dangerous and noxious weeds growing on the hereinafter described parcels of real property are public nuisances, and it is hereby ordered and directed that the employees of the City of Mobile assigned to that work promptly remove the weeds on such parcels of property:

PARCELS OR PIECES OF PROPERTY ON WHICH NOXIOUS OR DANGEROUS WEEDS ARE TO BE REMOVED:

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Parcels of real property located in the City of Mobile and more particularly described as Parcels Nos. 1 through 19, as described in the resolution adopted on the 30th day of June, 2020, and entitled: "A RESOLUTION DECLARING WEEDS GROWING UPON THE STREETS OR SIDEWALKS AND UPON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF MOBILE TO BE NOXIOUS OR DANGEROUS AND TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES."

(Lot Cleaning Liens, Group No.1605 on file in the office of the City Clerk).

SECTION 2. The employees of the City of Mobile assigned to the work required by this resolution are hereby expressly authorized to enter upon such described pieces of property for the purpose of removing the weeds authorized by this resolution to be removed. The owner of any of the above described pieces of property shall have the right to remove the weeds ordered by this resolution to be removed from this property provided such removal is done prior to the arrival of the employees of the City of Mobile against his property by reason of any action taken hereunder. An accurate account of the costs with respect to each piece of property shall be kept by the employees of the City of Mobile covering the costs of removing such weeds in front of or in front of or on each separate lot or parcel of land where the work is done by the City of Mobile or its employees, and promptly thereafter an itemized report in writing shall be made to the City Council showing such costs with respect to each separate lot or parcel of land but before the report is submitted to the City Council a copy of the itemized costs with respect to each such lot or parcel of land shall be posted for at least three days prior to such report on the door of the Council Chamber at the City Hall of Mobile, Alabama, together with a notice of the time when the report will be submitted to the City Council for confirmation.

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

CALL FOR PUBLIC HEARING

CALL FOR PUBLIC HEARING TO CONSIDER THE VACATION OF A PORTION OF SOUTH CONCEPTION STREET, WEST OF METRO JAIL. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-668-2020

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.

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

NOTICE OF HEARING TO CONSIDER VACATION OF A PORTION OF SOUTH CONCEPTION STREET

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Notice is hereby given that the Mobile City Council proposes to consider the adoption of a resolution assenting to the vacation of a portion of South Conception Street, west of Mobile Metro Jail.

The adoption of such resolution will be considered by the Mobile City Council on the 6th day of October, 2020, at 10:30 a.m., in the Mobile Government Plaza Auditorium, 205 Government Street. Any Citizen alleging to be affected by the proposed vacation may submit a written objection or may speak at the public hearing.

Councilmember Daves 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 October 6, 2020.

CALL FOR PUBLIC HEARING TO CONSIDER THE VACATION OF A PORTION OF ST. EMANUEL STREET, EAST OF METRO JAIL. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-669-2020

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.

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

NOTICE OF HEARING TO CONSIDER VACATION OF A PORTION OF ST. EMANUEL STREET

Notice is hereby given that the Mobile City Council proposes to consider the adoption of a resolution assenting to the vacation of a portion of St Emanuel Street, east of Mobile Metro Jail.

The adoption of such resolution will be considered by the Mobile City Council on the 6th day of October, 2020, at 10:30 a.m., in the Mobile Government Plaza Auditorium, 205 Government Street. Any Citizen alleging to be affected by the proposed vacation may submit a written objection or may speak at the public hearing.

Councilmember Daves 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 October 6, 2020.

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 4350 & 4362 GOVERNMENT BOULEVARD (NORTHWEST CORNER OF GOVERNMENT BOULEVARD AND POLARIS DRIVE) FROM R-1 TO B-2 (DISTRICT 4). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-670-2020

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Sponsored by: Councilmember Williams

WHEREAS, the City of Mobile Planning Commission has recommended approving an application to rezone property located at 4350 and 4362 Government Boulevard. (Northwest corner of Government Boulevard and Polaris Drive) from R-1, Single-Family Residential District to B-2, Neighborhood Business District.

1. As required by section 64-9(B)(6) of the Mobile City Code, 1991, the Commission has furnished to Council a copy of its report, recommendation and supporting documents.
2. The Council has considered the information provided and finds it necessary and desirable to schedule the rezoning for a public hearing.

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

1. That the date and time set for the public hearing shall be October 6, 2020, at 10:30 a.m. in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama;
2. That the City Clerk shall publish in full the proposed ordinance for one insertion and an additional insertion of a synopsis of the proposed ordinance one week after the first insertion in a newspaper of general circulation published within the municipality as required By Ala. Code §11-52-77.
3. That at the hearing, all persons who desire shall have an opportunity to be heard in opposition to or in favor of such ordinance.
4. That after the close of the public hearing, the Council may approve the proposed ordinance with or without conditions; deny the proposed ordinance; consider zoning classifications other than those sought by the applicant; and take any other action allowed by law.
5. BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

Councilmember Daves 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 October 6, 2020.

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 871 S. WASHINGTON AVENUE AND 759 & 763 PILLANS AVENUE (EAST SIDE OF SOUTH WASHINGTON AVENUE, 135' SOUTH OF PILLANS AVENUE, EXTENDING TO THE SOUTH SIDE OF PILLANS AVENUE, 137' EAST OF SOUTH WASHINGTON AVENUE) FROM B-3 AND R-2 TO B-3 (DISTRICT 2). The following resolution was introduced by Councilmember Small.

RESOLUTION: 41-671-2020

Sponsored by: Councilmember Manzie

WHEREAS, the City of Mobile Planning Commission has recommended approving an application to rezone property located at 871 South Washington Avenue and 759 & 763 Pillans Avenue (east side of South Washington Avenue, 135'+ south of Pillans Avenue, extending to the south side of Pillans Avenue, 137' ± east of South Washington Avenue)

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from B-3, Community Business District and R-2, Two-Family Residence District to B-3, Community Business District.

1. As required by section 64-9(B)(6) of the Mobile City Code, 1991, the Commission has furnished to Council a copy of its report, recommendation and supporting documents.

2. The Council has considered the information provided and finds it necessary and desirable to schedule the rezoning for a public hearing.

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

1. That the date and time set for the public hearing shall be October 6, 2020, at 10:30 a.m. in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama;

2. That the City Clerk shall publish in full the proposed ordinance for one insertion and an additional insertion of a synopsis of the proposed ordinance one week after the first insertion in a newspaper of general circulation published within the municipality as required by Ala. Code §1 1-52-77.

3. That at the hearing, all persons who desire shall have an opportunity to be heard in opposition to or in favor of such ordinance.

4. That after the close of the public hearing, the Council may approve the proposed ordinance with or without conditions; deny the proposed ordinance; consider zoning classifications other than those sought by the applicant; and take any other action allowed by law.

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

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

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

Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as October 6, 2020.

ANNOUNCEMENTS:

Councilmember Rich asked the public to remember the upcoming anniversary of September 11th.

Councilmember Small reminded citizens to call Mobile 311 to report overgrown properties and other non-emergency City issues.

Councilmember Richardson announced that the Public Safety Committee will meet this afternoon to discuss street closures and vacations.

Councilmember Richardson requested an update from the Administration regarding sidewalks on Old Shell Road.

Councilmember Manzie provided an explanation for Ordinance 34-026.

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

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

Nays: None

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The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:06 a.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK