

MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 31, 2021

The Council of the City of Mobile, Alabama met in the Auditorium of the Mobile Government Plaza on Tuesday, August 31, 2021, at 9:00 a.m.

Present:

Councilmembers: Richardson, Manzie, Small, Williams (remotely), Daves and Rich
Absent: Gregory

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

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 31, 2021

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, August 31, 2021, at 10:30 a.m., in regular meeting.

The meeting was called to order by Assistant City Clerk Mary Ann Merchant.

Senior Pastor Sid Phillips, Grace Bible Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: Councilmember Richardson asked for a moment of silence in memoriam of gospel singer, Lee Williams of the Spiritual QCs.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

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

APPROVAL OF MINUTES:

The minutes of the meetings of August 17 & 25, 2021, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson asked that citizens keep those affected by Hurricane Ida in their prayers.

Mayor Stimpson reported that Mobile had minimal damage from Hurricane Ida.

Mayor Stimpson informed citizens that the Alabama Task Force One Search and Rescue is on standby if Governor Ivey decides to deploy them to areas affected by Hurricane Ida.

MINUTES OF AUGUST 31, 2021

Mayor Stimpson announced that the City of Mobile is studying prior hurricanes in hopes of helping our city bounce back quicker.

Mayor Stimpson reported that the garbage was not picked up Monday but hopes that routes are caught up by the end of the week.

Mayor Stimpson presented a Proclamation recognizing September 1, 2021, as "United Way Day" in the City of Mobile.

ADOPTION OF THE AGENDA:

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

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

Nays: None

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

NOTE: At approximately 10:48 a.m., Councilmember Gregory joined the meeting.

PUBLIC HEARINGS:

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 6636, 6638, 6640, 6666, 6680 AND 6692 OLD SHELL ROAD (NORTH SIDE OF OLD SHELL ROAD, 520'+ WEST OF THE NORTH TERMINUS OF DICKENS FERRY ROAD) FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 6636, 6638, 6640, 6666, 6680 and 6692 Old Shell Road (north side of Old Shell Road, 520'+ west of the north terminus of Dickens Ferry Road) from R-1, Single-Family Residential District, to R-3 Multi-Family Residential District and asked if there was anyone present to speak for or against this matter.

A representative of the developer answered questions from the Council.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Timothy Hollis, 1924 Seale Street, addressed Resolution 27-722.
2. Reggie Hill, 1007 Center Street, addressed Resolution 27-722.

NON-AGENDA ITEMS:

1. Malcolm Banks, 1651 Knollwood Drive, invited the City of Mobile to assist in campaign to collect coloring books, crayons and puzzle books for USA Women's and Children's Hospital.

ORDINANCES HELD OVER

ORDINANCE GRANTING A SMALL CELL WIRELESS FACILITIES LICENSE – NEW CINGULAR WIRELESS PCS, LLC. The following ordinance, which was introduced and read at the meeting of August 25, 2021 and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

MINUTES OF AUGUST 31, 2021

ORDINANCE: 57-030-2021

Sponsored by: Mayor Stimpson

GRANTING A SMALL CELL WIRELESS FACILITIES LICENSE

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

Section 1. Incorporation of Chapter 57, Article IX. The provisions of Chapter 57, Article IX, of the Code of the City of Mobile, Alabama. 1991 (Ordinance No. 57-009-2021), as such may be amended from time to time (hereinafter referred to as "Article IX"), are incorporated herein by reference as if fully set out herein, including, but not limited to, the definitions set forth therein.

Section 2. Grantee. New Cingular Wireless PCS, LLC, as a wireless provider, who, along with its lawful successor(s), transferee(s), or assignee(s), shall hereinafter be referred to as "Grantee", has made application for a License pursuant to and in accordance with Article IX.

Section 3. Grant. The City of Mobile, Alabama (hereinafter "City"), where the City has the right and authority to do so, hereby grants to the Grantee a non-exclusive license to construct, maintain, and operate small cell facilities and/or support structures in the rights-of-way in accordance with and subject to the provisions of Article IX, applicable law, and any mutually acceptable additional terms, as may be set forth in an attachment to this License. Approval of installation of facilities at specific locations or on specific support structures will be administered through the SCF permit process set forth in Article IX.

Section 4. Certifications. Grantee hereby certifies as follows:

(a) Grantee is a Limited Liability Corporation duly organized, validly existing, and in good standing under the laws of the State of Delaware, is qualified to do business under the laws of the State of Alabama, and has the power and authority to own its properties, to carry on its business as now being conducted, to execute and deliver the acceptance of this license, to carry out the transactions contemplated hereby, and to perform and carry out all obligations on its part to be performed under and pursuant to this license.

(b) Grantee, as of the date of the grant of this License, has adequate financial resources to install the small cell facilities or support structures in accordance with the provisions of Chapter 57, Articles VIII and IX, Mobile City Code, 1991, and knows of no technical or legal impediment which would prevent it from performing as contemplated in said articles.

(c) Grantee is not prohibited by any agreement or applicable law from executing and accepting a license.

(d) All corporate actions and consents required on Grantee's part to execute and deliver the acceptance of the license have been completed.

The foregoing certifications are material to the grant of the License. A breach of any of the certifications in subsections (a) through (c) above shall constitute a non-curable default under the License, and shall entitle the City to immediately revoke the License for cause. A breach of the certification contained in subsection (d) shall constitute a curable default under the License, wherein following written notice, Grantee will have reasonable time to cure such default.

Section 5. Nonexclusive. Grantee's use of the rights-of-way pursuant to Article IX and this License shall be nonexclusive. The City specifically reserves the right to grant, at any time and from time to time, such additional franchises, licenses, use agreements or other rights to use the rights-of-way for any purpose as determined by the City, and to any other person, including itself, as it deems appropriate, subject to applicable law.

MINUTES OF AUGUST 31, 2021

Section 6. No title. The grant of this License shall not convey title. equitable or legal, in the rights-of-way, and the rights granted by the License do not excuse the Grantee from obtaining appropriate access or attachment agreements before locating its facilities on another person's support structures in the rights-of-ray, including the City.

Section 7. Term of license.

(a) Term. Subject to termination or revocation in accordance with Article IX, this License shall be valid for a period of five (5) years commencing on the date of publication of this ordinance (hereinafter referred to as "Effective Date"), and shall be subject to renewal as provided in Article IX. Upon Grantee's written certification to the franchise manager within 30 days of the expiration of the License that Grantee remains in compliance with the provisions of Article IX, including this License and each permit. then the License will be automatically renewed for an additional five (5) year term without further action required by the City.

(b) Operation after termination; holding over. Any holding over by Grantee after the termination, revocation or expiration of this License shall be subject to the applicable provisions of Article IX.

Section 8. Fees. The Grantee will pay the City all application and annual license fees in accordance with applicable provisions of Article IX.

Section 9. Insurance, security and indemnification. The Grantee understands it is bound by and shall comply with the provisions of Article IX applicable to insurance, security, and indemnification.

Section 10. Construction. In the case of an irreconcilable conflict between Article IX and any other provision of Chapter 57, Article IX shall apply.

Section 11. Inducements not offered. The Grantee. by its written Acceptance of this License, acknowledges that it has not been induced to accept this License by an understanding or promise or other statement, whether verbal or written, by or on behalf of the City concerning any term or condition of said License that is not included in this License.

Section 12. Grantee accepts terms of License. The Grantee, by its written acceptance of this License, acknowledges that it has thoroughly examined and is familiar with the terms and conditions of this License and Article IX and agrees to be bound by them.

Section 13. Administration and Enforcement. Administration and enforcement of this License shall be in accordance with Article IX.

Section 14. Notice. All notices or demands pursuant to Article IX shall be in writing and shall be deemed given if personally delivered or mailed, certified mail, return receipt requested to the following addresses:

If to the City, to: City Clerk
 P.O Box 1827
 Mobile. AL 36633

With a copy to: City Attorney
 P.O Box 1827
 Mobile. AL 36633

If to Grantee. To: Tim Hawkins
 1876 Data Dr
 Hoover, AL 35244

With a copy to:

MINUTES OF AUGUST 31, 2021

All notices or demands shall be deemed effective, if personally delivered, upon delivery. and if mailed, certified mail, return receipt requested, three (3) days after mailing. The City or Grantee may from time to time designate in writing any other address for this purpose to the other party; provided. however, in no event will either the City or Grantee be required at any time to send any notices or demands to more than two (2) designated addresses. even in the event that this License is transferred or assigned in whole or part. Nothing herein shall prevent the parties from effecting personal delivery via e-mail.

Section 15. Captions. The captions to sections and subsections contained herein are intended solely to facilitate the reading thereof. Such captions shall not affect the meaning or interpretation of the text herein.

Section 16. Severability. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

Section 17. Governing Law. This License granted and every question arising hereunder shall be construed or determined according to the laws of the State of Alabama and applicable federal law.

Section 18. Publication. The City Clerk of the City of Mobile is hereby authorized and directed to publish this Ordinance in full once a week for three consecutive weeks in a newspaper of general circulation published in the City of Mobile. Publication of this ordinance shall be at the expense of the Grantee.

Section 19. When ordinance effective. Subject to the provisions of Code of Alabama §11-44C-29, this Ordinance shall be in full force and effect thirty (30) days after both the final enactment of same by the City Council and publication of this ordinance as required by law.

The ordinance was read by the Assistant City Clerk; whereupon Councilmember Daves moved that the ordinance 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 Assistant City Clerk, whereupon the Presiding Officer declared the ordinance adopted.

RESOLUTIONS HELD OVER

AUTHORIZE FOREIGN-TRADE ZONE OPERATOR AGREEMENT WITH KEYPORT WAREHOUSING, INC. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 01-688-2021

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, a Foreign-Trade Zone Operator Agreement between City of Mobile and Keyport Warehousing, Inc., in which the City grants the Operator the right to utilize the real property located Foreign-Trade Zone No. 82, as outlined in the agreement attached hereto and made a part hereof as though set forth in full herein. A copy of said agreement is on file in the office of the City Clerk.

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

MINUTES OF AUGUST 31, 2021

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

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

AUTHORIZE FOREIGN-TRADE ZONE OPERATOR AGREEMENT WITH MEADOR WAREHOUSING & DISTRIBUTION, INC. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 01-689-2021

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, a Foreign-Trade Zone Operator Agreement between City of Mobile and Meador Warehousing & Distribution, Inc., in which the City grants the Operator the right to utilize the real property located Foreign-Trade Zone No. 82, as outlined in the agreement attached hereto and made a part hereof as though set forth in full herein. A copy of said agreement is on file in the office of the City Clerk.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO SOUTHERN LIGHTING & TRAFFIC SYSTEMS FOR SIX TRAFFIC SIGNAL CONTROLLERS FOR TRAFFIC ENGINEERING DEPARTMENT, \$15,900.00. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-690-2021

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>15534</u>	2021	(2060) TRAFFIC ENGINEERING	SIX TRAFFIC SIGNAL CONTROLLERS (SEALED BID 5561)	\$15,900.00-	<u>(278464)</u> <u>SOUTHERN</u> <u>LIGHTING &</u> <u>TRAFFIC</u> <u>SYSTEMS</u>

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

MINUTES OF AUGUST 31, 2021

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

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

APPROVE PURCHASE ORDER TO PEEK TRAFFIC CORPORATION FOR THREE TRAFFIC SIGNAL CABINETS FOR THE TRAFFIC ENGINEERING DEPARTMENT, \$23,000.00. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-691-2021

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>10820</u>	2021	(2060) TRAFFIC ENGINEERING	THREE TRAFFIC SIGNAL CABINETS (SEALED BID #5561).	\$23,000.00	<u>(162617) PEEK TRAFFIC CORPORATION</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDERS TO PETROLEUM TRADERS CORPORATION FOR FUEL FOR THE WAVE TRANSIT. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-692-2021

Sponsored by: Mayor Stimpson

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

MINUTES OF AUGUST 31, 2021

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>15690</u>	2021	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$17,742.50	(279229) PETROLEUM TRADERS CORPORATION
<u>15691</u>	2021	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$17,742.50	(279229) PETROLEUM TRADERS CORPORATION
<u>15692</u>	2021	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$17,742.50	(279229) PETROLEUM TRADERS CORPORATION

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO SCHOOL SPECIALTY LLC FOR POTTERY WHEELS, STOOLS & KILN FOR THE MOBILE MUSEUM OF ART, \$17,043.74. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-693-2021

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>13499</u>	2021	(0560) MOBILE MUSEUM OF ART	7 POTTERY WHEELS, 8 STOOLS, 1 KILN (SEALED BID 5589)	\$17,043.74	(274709) SCHOOL SPECIALTY LLC

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

MINUTES OF AUGUST 31, 2021

APPROVE PURCHASE ORDER TO EMERGENCY EQUIPMENT PROFESSIONAL, INC. FOR AMBULANCE FOR FIRE ADMINISTRATION, \$172,214.44. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-694-2021

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>15632</u>	2021	(1510) FIRE ADMINISTRATION	CRESTLINE CCL 150 AMBULANCE ON FORD F350 CHASSIS WITH UPFITTING (HGAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$172,214.44	<u>(294963) EMERGENCY EQUIPMENT PROFESSIONAL INC</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO AARDVARK FOR TACTICAL ROBOT WITH ACCESSORIES FOR POLICE ADMINSTRATIVE SERVICES, \$67,908.75. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-695-2021

Sponsored by: Mayor Stimpson

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

MINUTES OF AUGUST 31, 2021

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>12903</u>	2021	(1530) POLICE ADMIN SERVICES	AVATAR III TACTICAL ROBOT W/MANIPULATOR ARM, SHOCK TUBE INITIATOR, PERCUSSION ACTUATED NON- ELECTRIC DISRUPTER (GSA CONTRACT)	\$67,908.75	<u>(296819)</u> <u>AARDVARK</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO KASEWARE INC. FOR 30 ONE-YEAR LICENSES FOR CASE MANAGEMENT SOFTWARE FOR POLICE ADMINISTRATIVE SERVICES, \$42,000.00. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-696-2021

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>8790</u>	2021	(1530) POLICE ADMIN SERVICES	30 ONE-YEAR LICENSES FOR INVESTIGATION CASE MANAGEMENT SOFTWARE, PLUS IMPLEMENTATION (SEALED BID 5567)	\$42,000.00	<u>(297346)</u> <u>KASEWARE INC</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER WITH IT VENDOR FOR SUBSCRIPTION FOR DATA BACK-UP/RECOVERY SERVICES, \$168,217.40. The following resolution, which was

MINUTES OF AUGUST 31, 2021

introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-697-2021

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>15372</u>	2021	(5000) INFORMATION TECHNOLOGY	ONE-YEAR SUBSCRIPTION FOR DATA BACKUP/RECOVERY SERVICES (EXEMPT IAW AL CODE 41- 16-51(a)(15))	\$168,217.40	<u>(297326)</u> <u>VENDOR</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH BARTER & ASSOCIATES FOR DOCK IMPROVEMENTS AT GULFQUEST/MOBILE ALABAMA CRUISE TERMINAL; \$70,000.00 (CO524, 20002000-42200). The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-699-2021

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that 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: BARTER & ASSOCIATES, INC.

Project Name: GULFQUEST/MOBILE, ALABAMA CRUISE TERMINAL – DOCK IMPROVEMENTS

Project Number: CT-018-21

Amount: \$70,000.00

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

MINUTES OF AUGUST 31, 2021

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

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

AUTHORIZE GRANT APPLICATION TO THE ALABAMA HISTORICAL COMMISSION FOR DIGITIZATION PROJECT BY THE HISTORIC DEVELOPMENT OFFICE, \$19,630.13 (CITY'S PORTION: \$10,761.74). The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 31-700-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive Historic Preservation grant funding from the U.S. Department of Interior through the Alabama Historical Commission in the amount of \$19,630.13. Said funds are in support of the Certified Local Government (CLG) Grant Program for continued efforts in the digitization project by the Historic Development Office. There is a match requirement in the amount of \$13,086.76 (\$10,761.74 cash and \$2,325.02 in-kind).

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 U.S. Department of Interior and the Alabama Historical Commission. Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

BE IT FURTHER RESOLVED that the Mobile City Council commits to a local cash match in the amount of \$10,761.74 and an in-kind match in the amount of \$2,325.02 if said grant is awarded.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS – JOHNSON. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 60-701-2021

Sponsored by: Mayor Stimpson

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

MINUTES OF AUGUST 31, 2021

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS – BUSBY. The following resolution, which was introduced and read at the regular meeting of August 25, 2021, and held over until the regular meeting of August 31, 2021, was called up by the Presiding Officer.

RESOLUTION: 60-702-2021

Sponsored by: Mayor Stimpson

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

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

ORDINANCES BEING INTRODUCED:

ORDINANCE TO REZONE PROPERTY LOCATED AT 6636, 6638, 6640, 6666, 6680 AND 6692 OLD SHELL ROAD (NORTH SIDE OF OLD SHELL ROAD, 520'+ WEST OF THE NORTH TERMINUS OF DICKENS FERRY ROAD) FROM R-1 TO R-3 (DISTRICT 7). The following ordinance was held over until the regular meeting of September 7, 2021.

ORDINANCE: 64-031-2021

Sponsored by: Councilmember Gregory

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

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

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

Beginning at the southeast corner of Lot 3, Nolf Commercial Subdivision, as recorded in Map Book 60, Page 52, Probate Court Records, Mobile County, Alabama, run north and along the east line of said Lot 3, a distance of 418.46 feet to the northeast corner of said Lot 3; thence south 88°-51'-06" east and along the south line of property conveyed by

MINUTES OF AUGUST 31, 2021

instrument recorded in Real Property Book 712, Page 725, said Probate Records, a distance of 100.03 feet; thence south 00°-37'-36" west and continuing along the south line of said property, 7.55 feet; thence north 87°-06'-33" east and continuing along the south line of said property, 107.21 feet; thence north 00°-00'-00" east, 145.00 feet; thence south 83°-40'-24" east, 272.37 feet; thence south 00°-19'-27" west, 592.42 feet to a point on the north right-of-way line of Old Shell Road (right-of-way varies), said point being in the arc of a 10920.00 foot radius curve to the left; thence northwardly and westwardly along the arc of said curve (chord bears north 82°-25'-15" west, 478.54 feet), a distance of 478.57 feet to the Point of Beginning. Said property being the same property as parcels conveyed by instruments recorded in Real Property Book 4512, Page 500; Real Property Book 4512, Page 821; Real Property Book 5491, Page 146; and Land Records Book 7321, Page 642, said Probate Records.

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

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

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

Councilmember Small moved for the suspension of the rules to consider Consent Resolutions 03-704 through 60-710 and 03-723 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:

APPOINT GREGORY MORRIS, SR. TO THE BOARD OF ADJUSTMENT. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 03-704-2021

Sponsored by: Councilmember Small

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Gregory Morris, Sr. is appointed to the Board of Adjustment effective immediately for a term ending August 31, 2024.

The resolution was read by the Assistant 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

MINUTES OF AUGUST 31, 2021

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

RE-APPOINT MARY WILLIAMS TO THE MEDICAL CLINIC BOARD OF THE CITY OF MOBILE (SECOND). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 03-705-2021

Sponsored by: Councilmember Small

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Mary Williams is re-appointed to the Medical Clinic Board of the City of Mobile (Second) effective immediately for a term ending August 31, 2027.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DECLARE WEEDS NOXIOUS, WEED LIEN GROUP 1618. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 58-706-2021

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

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

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

SECTION 1: It has been determined by the City Council of Mobile that the weeds growing on the privately owned lots or parcels of land described in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part thereof as though set forth in full, known as Group #1618 under the caption "NOXIOUS OR DANGEROUS WEEDS GROWING ON PROPERTY," are noxious and dangerous, and such weeds are hereby declared to be public nuisances. The properties upon which such weeds are growing are all located within the corporate limits of the City of Mobile, about the streets referred to in the description which are more particularly described in said Exhibit "A."

SECTION 2: The weeds growing on or in front of the above described parcels of property shall be abated by the removal of such noxious or dangerous weeds or they will be removed and the nuisances abated by the City of Mobile, in which case the cost of such removal will be assessed against the respective parcels of lands from which such weeds are removed, and such cost will constitute a lien upon such respective parcels of land until paid. A public meeting is hereby called to be held in the Auditorium of the Mobile Government Plaza, 205 Government Street Mobile Alabama, on the 6th day of October,

MINUTES OF AUGUST 31, 2021

2021, at ten thirty a.m., for the purpose of hearing any objections to the declarations contained in this resolution and to the proposed removal of such weeds, at which time all objections will be heard and given due consideration by the City Council of Mobile, and it is directed that there shall be conspicuously posted in front of each parcel of property a notice headed "NOTICE TO DESTROY WEEDS." such heading to be in words not less than one inch in height and substantially in the form set out in such Act No. 329, approved April 29, 1988.

WEED LIEN						
1618						Res. No.
8/31/2021	LOTS TO BE DECLARED					58-
10/5/2021	LOTS FOR PUBLIC HEARING					58-
//2021	LOTS TO BE ASSESSED FOR COST					58-
		OLD CASE/		Amount	Dis	N/A
No.	Address	SROW	CASE #	Assessed		CBO
1	0 Center Street	12818	13677		2	
	Parcel No (22 08 44 0 019 388.XXX)					
2	1957 Pleasant Ave	12800	13678		1	
3	2302 Roosevelt St	13066	13679		1	
4	1707 Griffin St	12786	13680		1	
5	273 Cedar Dr	13184	13681		2	
6	560 Cedar Ave	8922	13682		2	
7	615 Draper St	13181	13683		1	
8	2528 Pleasant Valley Rd	11637	13684		5	
9	1207 Middle Ring Rd	12415	13685		1	
10	0 Cohron St	13507	13686		1	
	Parcel No 29 07 23 0 002 343.XXX)					
11	972 State St	13044	13687		2	
12	1455 Chinquapin St	13284	13688		1	
13	660 St Anthony St	11632	13689		2	
14	331 Smith St	13147	13690		1	
15	0 Brussels St	7416	13691		2	
	Parcel No (29 10 28 4 002 058.01X)					
16	2763 Gonzales Rd	11781	13692		3	
17	2320 Dog River Dr S	11147	13693		4	
18	727 Florida St Ext	13636	13694		1	
District total for this group		Numbers of lots cut				
1	9		1			
2	6		2			
3	1		3			
4	1		4			
5	1		5			
6	0		6			
7	0		7			
	18		0			
*ADD Added in from other Groups		*CBC Cut By Contractor				
*CBO Cut By Owner		*UDL Undeveloped Lot				
*N/A Taken out by Inspector						

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

MINUTES OF AUGUST 31, 2021

DETERMINE AN APPROPRIATION TO THE SOUTHERN SKYLINE COMMUNITY SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$12,000.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 60-707-2021

Sponsored by: Councilmember Williams

WHEREAS, Councilmember Williams wishes to appropriate \$12,000.00 to The Southern Skyline Community, from his discretionary funds and

WHEREAS, The Southern Skyline Community, is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to The Southern Skyline Community, will be used for the oval shape signs delineating the boundaries of our community, which will serve a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$12,000.00 to The Southern Skyline Community for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO THE UNITED METHODIST INNER CITY MISSION OF MOBILE, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$1,500.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 60-708-2021

Sponsored by: Councilmember Williams

WHEREAS, Councilmember Williams wishes to appropriate \$1,500.00 to the United Methodist Inner City Mission of Mobile, Inc., from his discretionary funds, and

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

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

WHEREAS, the Mobile City Council determines that this appropriation to United Methodist Inner City Mission of Mobile, Inc., will be used to purchase spats and operational expenses for the upcoming band season, which will serve a public purpose benefitting the City of Mobile and its citizens.

MINUTES OF AUGUST 31, 2021

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,500.00 to United Methodist Inner City Mission of Mobile, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO THE FRIENDS OF THE RICHARDS DAR HOUSE MUSEUM FOUNDATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$2,000.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 60-709-2021

Sponsored by: Councilmember Williams

WHEREAS, Councilmember Williams wishes to appropriate \$2,000.00 to The Friends of the Richards DAR House Museum Foundation from his discretionary funds; and

WHEREAS, The Friends of the Richards DAR House Museum Foundation is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to The Friends of the Richards DAR House Museum Foundation will be used to help with the restoration of their gardens and to help construct a pergola to be used for weddings and garden parties, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$2,000.00 to The Friends of the Richards DAR House Museum Foundation for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity group or individual for the amount set forth herein.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO THE SOUTHRIDGE HOMEOWNERS ASSOCIATION, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$1,883.10. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 60-710-2021

MINUTES OF AUGUST 31, 2021

Sponsored by: Councilmember Rich

WHEREAS, Councilmember Rich wishes to appropriate \$1,883.10 to the Southridge Homeowners Association, Inc., from her discretionary funds, and

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

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

WHEREAS, the Mobile City Council determines that this appropriation to Southridge Homeowners Association, Inc., will be used to help with a beautification project with Southridge subdivision Lloyds Lane entrance which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,883.10 to Southridge Homeowners Association, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPOINT ANNA BUSH TO THE AD HOC ANIMAL SHELTER CITIZENS' ADVISORY COMMITTEE. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 03-723-2021

Sponsored by: Councilmember Manzie

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Anna Bush is appointed to the ad hoc Animal Shelter Citizens' Advisory Committee effective immediately for a term ending October 1, 2021.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

CIP RESOLUTIONS BEING INTRODUCED

AUTHORIZE CONTRACT WITH PARTEN SMITH, INC., FOR 2017 CIP WOODCOCK DRAINAGE REPAIRS (AIRPORT BOULEVARD TO U.S. 90); COM PROJECT NO. 2017-3005-11 (D#5); \$935,000.00. The following resolution was held over until the regular meeting of September 7, 2021.

MINUTES OF AUGUST 31, 2021

RESOLUTION: 21-711-2021

Sponsored by: Councilmember Daves and Mayor Stimpson

WHEREAS, bids for concrete ditch repairs for district 5 were received and opened on May 26, 2021.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from Parten Smith, Inc., in the amount of \$935,000.00.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by Parten Smith, Inc.

NOW, THEREFORE, 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 with the company listed below for work as outlined in the contract attached hereto and made part hereof as through set forth in full. A copy of said contract is on file in the office of the City Clerk:

Name of Company: Parten Smith, Inc.

Project Name: 2017 CIP Woodcock Drainage Repairs
(Airport Boulevard, to U.S. 90) (D#5)

Project Number: 2017-3005-11

Amount: \$935,000.00

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

Councilmember Small moved for the suspension of the rules to consider Resolution 25-720 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.

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH GAILLARD BUILDERS, INC., FOR CHURCH STREET
CEMETERY WEST WALL REPAIRS, \$36,718.00 (CE-046-21; G-HUR-SALLY). The following resolution was held over until the regular meeting of September 7, 2021.

RESOLUTION: 01-712-2021

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and 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 Gaillard Builders, Inc., for Church Street Cemetery West Wall repairs (Project No. CE-046-21; G-HUR-Sally) in the amount of \$36,718.00 (CO601) as outlined in the Agreement between Owner and Contractor attached hereto and made a part hereof as though set forth in full. A copy is on file in the office of the City Clerk.

MINUTES OF AUGUST 31, 2021

AUTHORIZE AGREEMENT WITH WIL AMANOR TO PROVIDE TENNIS LESSONS & CLINICS FOR THE PARKS & RECREATION DEPARTMENT (NTE \$40,000 PER YEAR).
The following resolution was held over until the regular meeting of September 7, 2021.

RESOLUTION: 01-713-2021

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 Wil Amanor to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$40,000 per year 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.

APPROVED ITEM BASED BID FOR GRAPHICS FOR MPD VEHICLES. The following resolution was held over until the regular meeting of September 7, 2021.

RESOLUTION: 08-714-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to accept and approve, and issue Purchase Orders against, the below proposed Bid Awards, to the designated vendors for the specified items at the unit prices indicated, for the time periods and renewal options as indicated below and attached herein, and, further, that the Purchasing Agent is authorized to issue said orders without further approval or other action by the City Council. All Bid Awards may be extended at the discretion of the Purchasing Agent for a total award period not to exceed three years.

Bid	Description	Number of Items	Bid Amount	Time/Renewal	Vendor(s)
5581	POLICE VEHICLE GRAPHICS AND INSTALLATION	64	Various, see bid tab	One year, renewable for two additional one-year periods.	(294199) STAR GRAPHICS INC

APPROVE PURCHASE ORDER TO MED-ENG LLC. FOR EOD BOMB SUIT & ACCESSORIES FOR POLICE ADMINISTRATIVE SERVICES, \$36,525.00. The following resolution was held over until the regular meeting of September 7, 2021.

RESOLUTION: 08-715-2021

Sponsored by: Mayor Stimpson

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

MINUTES OF AUGUST 31, 2021

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>12406</u>	2021	(1530) POLICE ADMIN SERVICES	EOD BOMB SUIT, FACE SHIELD, HELMET, FOOT PROTECTION, BATTERY (SEALED BID 5593)	\$36,525.00	<u>(297810) MED- ENG LLC</u>

APPROVE PURCHASE ORDER TO WILSON DISMUKES INC. FOR 50 TRIMMERS FOR THE MOTOR POOL, \$18,699.00. The following resolution was held over until the regular meeting of September 7, 2021.

RESOLUTION: 08-716-2021

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>12807</u>	2021	(F7000) MOTOR POOL	50 STIHL FS131R TRIMMERS (SEALED BID 5594)	\$18,699.00	<u>(237250) WILSON DISMUKES INC</u>

TRANSFER \$30,000 FROM MIT'S OPERATING ACCOUNT TO THEIR CAPITAL ACCOUNT FOR CARPET REPLACEMENT. The following resolution was held over until the regular meeting of September 7, 2021.

RESOLUTION: 09-717-2021

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$30,000 be transferred from MIT's account (10045000.42200) to MIT's capital account(C0078) for carpet replacement in the MIT building located on 651 Church Street.

AUTHORIZE CONTRACT WITH BILL SMITH ELECTRIC INC. FOR EMERGENCY GENERATOR & SERVICE MODIFICATION AT FIRE STATION #16 (LATHAN); \$36,500.00. The following resolution was held over until the regular meeting of September 7, 2021.

RESOLUTION: 21-718-2021

Sponsored by: Councilmember Small 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: BILL SMITH ELECTRIC, INC.

MINUTES OF AUGUST 31, 2021

Project Name: FIRE STATION #16 (LATHAN) –
EMERGENCY GENERATOR & SERVICE MODIFICATION

Project Number: FD-054-21

Amount: \$36,500.00

AUTHORIZE CONTRACT WITH BILL SMITH ELECTRIC INC. FOR LED LIGHTING UPGRADE AT MIMS PARK; \$273,089.00. The following resolution was held over until the regular meeting of September 7, 2021.

RESOLUTION: 21-719-2021

Sponsored by: Councilmember Williams and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for 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 contact attached hereto and made a part hereof as though set forth in full. C copy of said contract is on file in the office of the City Clerk.

Name of Company: BILL SMITH ELECTRIC, INC.

Project Name: MIMS PARK –
LED LIGHTING UPGRADE

Project Number: PR-062-21

Amount: \$273,089.00

APPROVE PERMANENT EASEMENT FOR USE IN 12 MILE CREEK STREAM RESTORATION PROJECT (CONSTRUCTION AND MAINTENANCE) (RESTORE FUNDED THREE MILE CREEK WATERSHED RESTORATION PROJECT). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 25-720-2021

Sponsored by: Councilmember Rich and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby accepts the following easement for the 2018-3005-09 Twelve Mile Creek Bank Stabilization project:

1. Tract 8, Permanent Easement, from Paul E. Weaver and Ramona G. Weaver

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

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS – ALLSTATE PROPERTY & CASUALTY INS CO AS SUBROGEE OF MIKALA JACKSON. The following resolution was held over until the regular meeting of September 7, 2021.

MINUTES OF AUGUST 31, 2021

RESOLUTION: 60-721-2021

Sponsored by: Mayor Stimpson

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

ANNOUNCEMENTS:

Lisa C. Lambert, City Clerk announced that the Election Canvassing will be delayed due to not receiving the provisional votes back from the Board of Registrars until today because of Hurricane Ida.

Councilmember Daves announced that the City Council Finance Committee meeting will be held today at 1:00 p.m. in the multi-purpose room.

Councilmember Rich shared thoughts and prayers for Hurricane Ida victims.

Councilmember Small asked if the Administration would send information to citizens explaining the 311 process.

Councilmember Richardson announced that the Alabama Department of Archives and History opened an exhibit in Montgomery to commemorate the 101st Anniversary of the passage of the 19th amendment.

Councilmembers Gregory and Rich thanked Public Safety and Public Works first responders for their work during Hurricane Ida.

Councilmember Gregory requested to be informed if there are any food or clothing drives for the victims of Hurricane Ida.

At approximately 11:38 a.m., recessed the meeting until noon.

At approximately 12:00 p.m. the Presiding Officer turned the meeting over to Toby Dingbaum to start the canvassing of the election.

At approximately 12:41 p.m., Councilmember Daves recessed the regular council meeting until after the Finance Committee meeting.

NOTE: At approximately 1:56 p.m., the Presiding Officer re-convened the regular council meeting.

DECLARE THE RESULTS OF THE AUGUST 24TH MUNICIPAL ELECTION. The following resolution was introduced by Councilmember Small.

RESOLUTION: 27-722-2021

Sponsored by: Mayor Stimpson

WHEREAS, the general election for the City of Mobile was duly and legally held on August 24, 2021, as provided by law; and

WHEREAS, the municipal governing body of the City of Mobile met on this 31st day of August, 2021, a quorum thereof being present at 12:00 noon, and has canvassed the returns and has ascertained and determined the number of votes received by each candidate, and

MINUTES OF AUGUST 31, 2021

WHEREAS, the said municipal governing body has ascertained and determined the result of said election as follows:

<u>MAYOR</u>	<u>TOTAL VOTES</u>
Donavette Ely	142
Karlos Finley	4,876
Fred Richardson	7,568
Sandy Stimpson	21,365
Michael Young	239
 <u>COUNCILMEMBER DISTRICT 1</u>	
Perry Berens	206
Timothy “Tim” Hollis	262
Cory Penn	1,652
Herman Thomas	1,320
Chamyne Fortune Thompson	1,080
John Westbrook Jr.	123
Tony-Toni Wright	68
 <u>COUNCILMEMBER DISTRICT 2</u>	
Jason A. Caffey	354
William Carroll	1,085
Reggie Hill	190
Levon C. Manzie	2,279
Kimberly McKeand	163
Mark Minnaert	732
 <u>COUNCILMEMBER DISTRICT 3</u>	
Xaviaire A. G. Carnrike	335
C. J. Small	2,896
 <u>COUNCILMEMBER DISTRICT 4</u>	
Fred Rettig	1,857
Ben Reynolds	3,432
 <u>COUNCILMEMBER DISTRICT 5</u>	
Tex Copeland	365
Joel Daves	3,098
Wilecia Wright	660
 <u>COUNCILMEMBER DISTRICT 6</u>	
Tony Dughaish	661
Scott Jones	2,500
Deryl Pendleton	436
Josh Woods	2,162
 <u>COUNCILMEMBER DISTRICT 7</u>	
Alan J. Barnes	1,094
Gina Gregory	4,432

A copy of the Canvass Printout by machine is attached hereto and made a part hereof as though set forth in full.

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

1. That Sandy Stimpson received a majority of the votes cast for the office of Mayor and is hereby declared duly elected to that office for the term beginning the first Monday in November, 2021.

MINUTES OF AUGUST 31, 2021

2. That C. J. Small received a majority of the votes cast for the office of City Council, District 3, and is hereby declared duly elected to that office for the term beginning the first Monday in November, 2021.
3. That Ben Reynolds received a majority of the votes cast for the office of City Council, District 4, and is hereby declared duly elected to that office for the term beginning the first Monday in November, 2021.
4. That Joel Daves received a majority of the votes cast for the office of City Council, District 5, and is hereby declared duly elected to that office for the term beginning the first Monday in November, 2021.
5. That Gina Gregory received a majority of the votes cast for the office of City Council, District 7, and is hereby declared duly elected to that office for the term beginning the first Monday in November, 2021.
6. That no candidate received a majority of the votes cast for the office of City Council, District 1, and Herman Thomas and Cory Penn received the most and second most votes cast for that office; therefore, a runoff election between said candidates is hereby ordered to be held on Tuesday, October 5, 2021, pursuant to the requirements of Section 11-46-20 et seq. of the Alabama Code of 1975, as amended.
7. That no candidate received a majority of the votes cast for the office of City Council, District 2, and Levon C. Manzie and William Carroll received the most and second most votes cast for that office; therefore, a runoff election between said candidates is hereby ordered to be held on Tuesday, October 5, 2021, pursuant to the requirements of Section 11-46-20 et seq. of the Alabama Code of 1975, as amended.
8. That no candidate received a majority of the votes cast for the office of City Council, District 6, and Scott Jones and Josh Woods received the most and second most votes cast for that office; therefore, a runoff election between said candidates is hereby ordered to be held on Tuesday, October 5, 2021, pursuant to the requirements of Section 11-46-20 et seq. of the Alabama Code of 1975, as amended.

The resolution was read by the Assistant City Clerk; whereupon Councilmember Small 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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

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

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 2:05 p.m.

Adopted:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK