MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 28, 2018

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, August 28, 2018, at 9:00 a.m.

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

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m. on Tuesday, August 28, 2018.

The Presiding Officer adjourned the meeting.

Approved: September 4, 2018

call

COUNCIL VICE PRESIDENT

CITY CLERK

MUNCIPAL BUILDING, MOBILE, ALABAMA, AUGUST 28, 2018

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, August 28, 2018, at 10:30 a.m., in regular meeting.

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

Reverend Lanier Wood, Associate Pastor, Covenant Presbyterian Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Council Vice President Manzie asked everyone to remain standing for a moment of silence in memoriam of Senator John McCain.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

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

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

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

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

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

5) Any person desiring to speak to the Council on a non-agenda item must contact the City Clerk's Office no later than 2:00 p.m. on the Thursday prior to the Council Meeting. The subject he/she wishes to address must be identified. Any person attending the meeting who has not given proper notice to the Clerk's Office and wishes to speak on a non-agenda item will not be allowed to address the Council.

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

APPROVAL OF MINUTES:

The minutes of the meetings of August 21, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Paul Wesch reported that Request for Quotations (RFQ) will be released to interested parties in September for the repair/redevelopment of the Civic Center.

Deputy Chief Jeremy Lami introduced Firefighter of the Month Patrick Henderson.

Dan Corte, Mobile Sports Authority, updated the Council on upcoming sporting events in the city.

MONTHLY FINANCE REPORT:

Paul Wesch, Executive Director of Finance, stated:

"The budget was delivered to you last Monday and thank you for scheduling the September 4th public hearing on the budget. I think that may be a little earlier than usual and that is good news."

"As we get into budget time I wanted to spotlight the revenue side of the budget. We've had discussions about some flatness in revenue and the effects of e-commerce. We actually have four bright spots on the revenue side."

"One is sales tax. Towards the latter part of the current year we started to see some improvement in our sales tax revenues that we could predict. About a $4 million increase in sales tax. At the same time our SSUT can be projected to be much more robust than it has been. I think we had budgeted for this year $200,000.00 in Simplified Sellers Use Tax. Primarily because of the changes that were made in the last regular session of the legislature, which you supported unanimously, those revenues are projected to be $2 million for 2019 and that is a conservative number because we don't know what to fully expect. That has been a nice shot in the arm for the budget."

"We've also seen about a $1 million increase projected for property taxes. That is nothing we've done, it is simply a product of the annual reassessment of property for ad valorem tax purposes that the County does."

"I think a very bright part of the revenue profile is the increase in lodgings tax. We are currently looking at about a 26% increase in 2018 over 2017. We're projecting that forward into 2019. I think that is a tribute to David Clark and the efforts of Visit Mobile. I think as the Tourism Improvement District, that you have all supported, is legislated into action, they will have more assets to put into marketing for tourism and that will probably be reflected in tourism numbers improving. This year our total tourism numbers are about 3.4 million, which is a 400,000 increase from just two years ago. They have done a very good job and much of that is a product of Visit Mobile's focus on the leisure traveler as opposed to just the conventions that have really been the target in the past. We look forward to sharing other information with you on the 4th and thank you for scheduling the public hearing. I'd be happy to answer any questions."

REPORTS OF COMMITTEES:

None.

NEW COMMITTEE ASSIGNMENTS:

None.

ADOPTION OF THE AGENDA:

Councilmember Small moved for the immediate adoption of the agenda, which move was seconded by Councilmember Richardson, and the vote was as follows:

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

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

APPEALS:

The Council considered the request of Daniel Loper, Discount Locksmith, for a waiver of the Noise Ordinance at 3750 Moffett Road on September 8, 2018, from 10:00 a.m. until 8:00 p.m. (District 1).

Councilmember Richardson moved to grant the waiver, which motion 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 waiver granted.

The Council considered the request of Susan Healy for a waiver of the Noise Ordinance at 1122 Palmetto Street on October 27, 2018, from 8:00 p.m. until 10:00 p.m. (District 2).

Councilmember Richardson moved to grant the waiver, which motion 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 waiver granted.

The Council considered the request of Tarshia McGinney, Armed with Force Worldwide Ministries, for a waiver of the Noise Ordinance at 6552 Zeigler Boulevard on September 1, 2018, from 9:00 a.m. until 7:00 p.m. (District 7).

Councilmember Richardson moved to grant the waiver, which motion 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 waiver granted.

The Council considered the request of Chelette Webster for a waiver of the Noise Ordinance at 2004 McGough Drive on September 1, 2018, from 2:00 p.m. until 10:00 p.m. (District 3).

Councilmember Richardson moved to grant the waiver, which motion 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 waiver granted.

PUBLIC HEARINGS:

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 2503 CHASTANG AVENUE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 2503 Chastang Avenue is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 928 LINCOLN AVENUE IS A PUBLIC NUISANE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 928 Lincoln Avenue is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 358 ROBBINS STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 358 Robbins Street is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO APPROVE THE APPLICATION OF MATTHEW KELLY D/B/A GULF COAST PEDAL TOURS, LLC, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A QUADRICYCLE TOUR SERVICE.

The Presiding Officer announced that today was the day for the public hearing to approve the application of Matthew Kelly d/b/a Gulf Coast Pedal Tours, LLC for a Certificate of Public Convenience and Necessity and asked if there was anyone present to speak for or against this matter.

McKenzie Kelly, 320 Stanton Road, provided information regarding the application.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

None.

NON-AGENDA ITEMS:

1. The following people spoke in opposition to the “Drag Queen Story Time” being held at the Mobile Public Library on September 8, 2018:

a. Fred Wolfe, 3440 Morgan Court
b. Lisa Strong, 9810 Potomac Ridge Drive

2. Scott Kinney, Executive Director of the Mobile Public Library, 5317 Isabel Way South, stated that “Drag Queen Story Time” is not a Mobile Public Library sponsored event, and neither the Mobile Public Library nor the Friends of the Library have provided any monetary funds toward the program.

CONSENT RESOLUTIONS BEING HELD OVER:

DETERMINE EXPENDITURE OF DISCRETIONARY FUNDS FOR CONTRIBUTION TO THE MACARTHUR PLACE HOMEOWNERS’ ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution which was introduced and read at the regular meeting of Tuesday, August 21, 2018 and held over for one (1) week until the regular meeting of August 28, 2018, was called up by the Presiding Officer.

RESOLUTION: 60-602-2018

Sponsored by: Councilmember Rich

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

WHEREAS, Councilmember Rich wishes to donate $7,200.00 to the MacArthur Place Homeowners Association from her discretionary funds; and

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

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

WHEREAS, the Mobile City Council determines that this contribution to the MacArthur Place Homeowners Association will be used to reimburse a portion of the costs the group has incurred in constructing a stormwater outfall;

WHEREAS, the stormwater outfall was constructed to city standards and will benefit the neighborhood and surrounding communities;

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the MacArthur Place Homeowners Association serves a public purpose and further approves and directs the payment of same.

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

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

Nays: None
Abstained: Daves

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

CIP RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH FRANK TURNER CONSTRUCTION COMPANY, INC. FOR 2016 CIP, DISTRICT 1, #9 FLORIDA STREET AND DOHM STREET DRAINAGE IMPROVEMENTS, $1,829,087.14. The following resolution which was introduced and read at the regular meeting of Tuesday, August 21, 2018 and held over for one (1) week until the regular meeting of August 28, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-603-2018

Sponsored by: Councilmember Richardson and Mayor Stimpson

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

Name of company: Frank Turner Construction Company, Inc.

Project name: 2016 CIP, District 1, #9, Florida Street and Dohm Street Drainage Improvements

Estimated cost: $1,829,087.14

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

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

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

RESOLUTIONS HELD OVER:

REALLOCATE $100,000.00 FROM CEP (E0040) TO CEP (0002) FOR FIRE DEPARTMENT VEHICLES (RESCUE TRUCK). The following resolution which was introduced and read at the regular meeting of Tuesday, August 21, 2018 and held over for one (1) week until the regular meeting of August 28, 2018, was called up by the Presiding Officer.

RESOLUTION: 09-604-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the sum of $100,000.00 be reallocated from Capital Equipment Project (E0040) Equipment-Fire Department 20002000.47010 to Capital Equipment Project (E0002) Equipment-Fire Vehicles 20002000.47010 for fire department vehicles.

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

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

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

REALLOCATE $50,000.00 FROM CEP (E0046) TO CEP (E0002) FOR FIRE DEPARTMENT VEHICLES (RESCUE TRUCK). The following resolution which was introduced and read at the regular meeting of Tuesday, August 21, 2018 and held over for one (1) week until the regular meeting of August 28, 2018, was called up by the Presiding Officer.

RESOLUTION: 09-605-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the sum of $50,000.00 be reallocated from Capital Equipment Project (E0046) Fire Administration Projects 20002000.47010 to Capital Equipment Project (E0002) Equipment-Fire Vehicles 20002000.47010 for fire department vehicles (rescue truck).

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

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

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

AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH WILKINS MILLER, LLC, TO PROVIDE AUDIT SERVICES FOR FISCAL YEARS 2018, 2019 AND 2020 WITH THE OPTION TO RENEW FOR FISCAL YEARS 2021 AND 2022, NTE $346,500.00 FOR 3 YEARS (10049000-42200). The following resolution which was introduced and read at the regular meeting of Tuesday, August 21, 2018 and held over for one (1) week until the regular meeting of August 28, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-606-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Professional Services Contract, by and between the City of Mobile and Wilkins Miller, LLC in amounts not to exceed $113,000, $115,500, and $118,000 per year, to perform auditing services for fiscal years 2018, 2019 and 2020, respectively, and with the option, at amounts not to exceed $121,000 and $124,000 per year, to perform auditing services for the fiscal years 2021 and 2022, respectively, as outlined in the Professional Services Contract attached hereto and made a part hereof as though set forth in full.

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

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

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

AUTHORIZE CONTRACT WITH AXON ENTERPRISE, INC. FOR MPD BODY CAMERA EQUIPMENT, $1,993,889.00 (10041530). The following resolution which was introduced and read at the regular meeting of Tuesday, August 21, 2018 and held over for one (1) week until the regular meeting of August 28, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-607-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Axon Enterprise, Inc., in the amount not to exceed $1,993,889, to commence upon the signed Purchase Order and will remain in full force and effect until terminated by either Party, for the proposed equipment as outlined in the Purchase Order attached hereto and made a part hereof as though set forth in full. A copy of the said contract is on file in the Office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember 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 CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 37-611 – 60-626 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR COST PLUS WORLD MARKET, 3250 AIRPORT BOULEVARD, UNIT 110. The following resolution was introduced by Councilmember Small.

RESOLUTION: 37-611-2018

Sponsored by: Councilmember Daves

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

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

Submitted by: Cost Plus, Inc.

Location: Cost Plus World Market
3250 Airport Boulevard, Unit 110
Mobile, AL 36606

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

DECLARE THE STRUCTURE AT 2503 CHASTANG AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-612-2018

Sponsored by: Councilmember Richardson

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 2503 Chastang Avenue has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 6, 7, 8, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 2903 Frederick Street as:

PT DOUBLED WITH K00666899 LOT 1 & N 1/2 OF LOT 2 BLK 10. 2ND DIV OF LAFARGUE TRT MECHEM & SAGES DIV DBK 121 PG 511 #SEC 44 T4S RIW #MP29 02 44 0 013

Parcel number: 29 02 44 0 013 349

Last assessed to: MCGILL LINDA V

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code," Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mall a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

DECLARE THE STRUCTURE AT 928 LINCOLN AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-613-2018

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 928 LINCOLN AVENUE has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 6, 7, 8,14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 928 LINCOLN AVENUE as:

LOT 9 BLK 5 LINCOLN PLACE # 1 DBK 156/233 #SEC 44 T3S RIW #MP22 08 44 0 019

Parcel number: 22 08 44 0 019 045

Last assessed to: CHASTANG ANDRE CHANEL

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

DECLARE THE STRUCTURE AT 358 ROBBINS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-614-2018

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 358 Robbins Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement inspection Checklist/Exhibit A - No. 4, 6, 7, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 358 Robbins Street as:

COM AT PT ON S/S OF ROBBINS ST 54.33 FT SLY FROM SE COR OF ROBBINS ST & DELUSSER AVE TH RUN SLY ALG E/L OF ROBBINS ST 39.17 FT TO PT TH ELY & PAR WITH DELUSSER AVE 90 FT TO PT TH NLY 39.17 FT TO PT TH WLY 90 FT TO E/L OF ROBBINS ST & PL OF BEG BEING PT OF LOT 8 BLK 7 IN LAFAYETTE HGTS DK133 P 420 #SEC 25 T4S RIW #MP29 07 25 0 002

Parcel number: 29 07 25 0 002 390

Last assessed to: MARKS ADAM

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTERS OF THE MONTH AS PART OF THE MAYOR’S INCENTIVE PROGRAM, PATRICK HENDERSON $500.00. The following resolution was introduced by Councilmember Small.

RESOLUTION: 60-615-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor, upon the nomination by City supervisors recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of $500 each to the employees on the attached list marked as Exhibit A.

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

EXHIBIT "A"

Firefighter of the Month			
Last Name	**First Name**	**Award**	**Date**
Henderson	Patrick	Firefighter of the Month	Jul-18

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

<u>APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTER OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM, MAURICE VATIER, $500.00.</u> The following resolution was introduced by Councilmember Small.

RESOLUTION: 60-616-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor, upon the nomination by City supervisors recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of $500 each to the employees on the attached list marked as Exhibit A.

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

EXHIBIT "A"

Firefighter of the Month			
Last Name	**First Name**	**Award**	**Date**
Vautier	Maurice	Firefighter of the Month	Aug-18

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

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

RESOLUTION: 60-626-2018

Sponsored by: Councilmember Richardson

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

WHEREAS, Councilmember Richardson wishes to donate $3,000.00 to the Toulminville Crichton Community Development Corporation from his discretionary funds; and

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

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

WHEREAS, the Mobile City Council determines that this contribution to the Toulminville Crichton Community Development Corporation will be used to help acquire school uniforms and supplies during their Annual Crichton Explosion on Saturday, September 1, 2018 at the Mill Street Park;

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

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

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

Councilmember Richardson moved for the suspension of the rules to consider CIP Resolutions 21-617 and 21-618 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.

AUTHORIZE CONTRACT WITH GOODWYN, MILLS AND CAWOOD, INC. FOR KIDD PARK-DRAINAGE IMPROVEMENTS-DESIGN SERVICES, $9,000.00 (2018 CIP 2017-128; D2; PR-068-18). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 21-617-2018

Sponsored by: Councilmember Manzie 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: Goodwyn, Mills and Cawood, Inc.

Project name: Kidd Park - Drainage Improvements - Design Services

Project number: PR-068-18

Amount: $9,000.00 (2018 CIP 2017-128, D2)

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.

AUTHORIZE CONTRACT WITH NET CONNECTION, LLC FOR HILLSDALE PARK-NETTING REPLACEMENT, $11,500.00 (2017 CIP #457; D7; PR-041-18). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 21-618-2018

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 though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of company: Net Connection, LLC

Project name: Hillsdale Park - Netting Replacement

Project number: PR-041-18

Amount: $11,500.00 (2017 CIP#457, D7)

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.

RESOLUTIONS BEING INTRODUCED:

RE-ALLOCATE $11,361.00 FROM CAPITAL PROJECT (C0012), MISCELLANEOUS STREET IMPROVEMENTS-ALABAMA MUNICIPAL TRUST FUND 20102010.48010 CONSTRUCTION, TO CAPITAL FUND (C0159) MPO MCGREGOR AVENUE WIDENING, DISTRICT 5, 20002000.42130 LEGAL FEES. The following resolution was held over for one (1) week until the regular meeting of Tuesday, September 4, 2018.

RESOLUTION: 09-619-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the sum of $11,361.60 be reallocated from Capital Project (00012), Miscellaneous Street Improvements-Alabama Municipal Trust Fund 20102010.48010 Construction to Capital Fund (CGI 59) MPO McGregor Avenue Widening, District 5, 20002000.42130 Legal Fees.

RE-ALLOCATE $85,620.00 FROM CAPITAL PROJECT (C0012), MISCELLANEOUS STREET IMPROVEMENTS-ALABAMA MUNICIPAL TRUST FUND 20102010.48010 CONSTRUCTION, TO CAPITAL FUND (C0388) 2018 TREE REMOVAL PHASE I, 20002000.4010 CONSTRUCTION. The following resolution was held over for one (1) week until the regular meeting of Tuesday, September 4, 2018.

RESOLUTION: 09-620-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE. ALABAMA, that the sum of $86,620.00 be reallocated from Capital Project (C0012), Miscellaneous Street Improvements-Alabama Municipal Trust Fund 20102010.48010 Construction to Capital Fund (C0388) 2018 Tree Removal Phase I 20002000.48010 Construction.

AUTHORIZE CONTRACT WITH SOUTHERN EARTH SCIENCES, INC. FOR WATER STREET RESURFACING AND STRIPING, $15,500.00 (20002000-48030; 2017-2060-07; C0385). The following resolution was held over for one (1) week until the regular meeting of Tuesday, September 4, 2018.

RESOLUTION: 21-621-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Contract, by and between the City of Mobile, and the company listed below; to provide geotechnical engineering services for the resurfacing and striping of Water Street, 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: Southern Earth Sciences, Inc.

Project name: Water Street Resurfacing and Striping, 2017-2060-07

Capital project no.: C0385

Contract amount: $15,500.00

AUTHORIZE CONTRACT WITH MOBILE ASPHALT COMPANY, LLC FOR WATER STREET RESURFACING AND STRIPING, $1,011,820.60 (2017-2060-07; C0385; 20002000-48010). The following resolution was held over for one (1) week until the regular meeting of Tuesday, September 4, 2018.

RESOLUTION: 21-622-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: Mobile Asphalt Company, LLC

COM project name: Water Street Resurfacing and Striping, 2017-2060-07

Capital project no.: C0385

Contract amount: $1,011,820.60

APPROVE THE APPLICATION OF MATTHEW KELLY D/B/A GULF COAST PEDAL TOURS, LLC, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A QUADRICYCLE TOUR SERVICE. The following resolution was held over for one (1) week until the regular meeting of Tuesday, September 4, 2018.

RESOLUTION: 37-623-2018

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, pursuant to the provisions of Ordinance #59-073, 2005, that the application of Matthew Kelly d/b/a Gulf Coast Pedal Tours, LLC, for a Certificate of Public Convenience and Necessity to operate a shuttle for a quadricycle tour service is hereby approved. A copy of said application is on file in the office of the City Clerk.

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO REZONE PROPERTY AT 5803, 5807, 5811 AND 5812 WALTMAN LANE (SOUTHWEST CORNER OF WALTMAN LANE [PRIVATE ROAD] AND LONG STREET), FROM R-1 TO R-3 (DISTRICT 6). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 41-624-2018

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish the attached proposed amendment to the Zoning Ordinance at least once a week for two consecutive weeks in a newspaper of general circulation within the municipality, together with the attached notice stating the time and place that said proposed amendment 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 such amendment.

NOTICE OF HEARING ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

Notice is hereby given that the City Council of Mobile proposes to consider the adoption of the attached amendment to the Ordinance adopted on the 16th day of May, 1967, and known as the "Zoning Ordinance." The adoption of such amendment will be considered by the City Council of Mobile in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama, on the 25th day of September, 2018, at 10:30 a.m. At such time and place all persons who desire shall have an opportunity to be heard in opposition to, or in favor of the amendment. Furthermore, the City Council, at this public hearing, may consider zoning classifications other than that sought by the applicant for this property.

This notice is published pursuant to a resolution of the City Council of Mobile adopted on the 28th day of August, 2018.

Councilmember Richardson then moved to hold the resolution over for one (1) week until the regular meeting of Tuesday, September 4, 2018, which move was seconded by Councilmember Rich. Following comments from Councilmember Rich 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 declared the resolution held over.

CALL FOR PUBLIC HEARING TO REZONE PROPERTY AT 556, 566, 576 AND 600 ZEIGLER CIRCLE EAST AND 7331 ZEIGLER CIRCLE SOUTH (SOUTHEAST CORNER OF ZEIGLER CIRCLE EAST AND SELLERS LANE) FROM B-3 TO I-1 (DISTRICT 7). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 41-625-2018

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish the attached proposed amendment to the Zoning Ordinance at least once a week for two consecutive weeks in a newspaper of general circulation within the municipality, together with the attached notice stating the time and place that said proposed amendment 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 such amendment.

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This notice is published pursuant to a resolution of the City Council of Mobile adopted on the 28th day of August, 2018.

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

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

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

LOT 1 U.S. MACHINE SUBDIVISION AS RECORDED IN MAP BOOK 118, PAGE 10 AND LOTS 15 AN 16 REVISED ZEIGLER AIRPORT COMMERCIAL PARK, AS RECORDED IN MAP BOOK 31 PAGE 8 AND LOT 16-A, REVISED ZEIGLER AIRPORT COMMERCIAL PARK RESUBDIVISION OF LOTS 16 AND 17 AS RECORDED IN MAP

BOOK 49 PAGE 61 IN THE OFFICE OF THE JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA.

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

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

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

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

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

ANNOUNCEMENTS:

Lisa Lambert, City Clerk, announced that a public hearing for the City's proposed fiscal year 2019 budget will be held on Tuesday, September 4, 2018, at the regular Council meeting.

Councilmember Small reminded the public to call Mobile 311 to report overgrown lots.

Councilmember Small wished everyone a safe and happy Labor Day weekend.

Councilmember Richardson invited citizens to attend the grand opening of the basketball courts at Figures Park on Saturday, September 15, 2018.

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

Councilmember Rich stated that the City's proposed fiscal year 2019 budget is available to the public at www.cityofmobile.org.

Councilmember Manzie expressed his appreciation to the Administration for their hard work on the proposed budget and said he looks forward to adopting a budget in a timely manner.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:03 p.m.

Approved: September 4, 2018

COUNCIL VICE PRESIDENT

CITY CLERK