

MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 7, 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 7, 2018, at 9:00 a.m.

Present:

Chairman: Manzie

Councilmembers: Richardson, Williams, Daves, Rich and Gregory

Absent: Small

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 7, 2018.

The Presiding Officer adjourned the meeting.

Approved: August 14, 2018

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 7, 2018

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, August 7, 2018, at 10:30 a.m., in regular meeting.

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

Dr. Martha Williams, Greater Vision of Faith Ministry, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: Council Vice President Manzie asked the audience to remain standing for a moment of silence in memoriam of Mary Waunette Chitty, mother of Council Attorney Wanda Cochran.

Present on Roll Call:

Chairman: Manzie

Councilmembers: Richardson, Williams, Daves, Rich and Gregory

Absent: Small

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.

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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 July 31, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mobile Police Chief Lawrence Battiste introduced newly promoted Major Linda Tims.

Mobile Fire-Rescue Chief Mark Sealy introduced newly promoted Deputy Chief Alex Trenier and Deputy Chief Jeremy Lami who recently graduated from the Executive Fire Officer Class.

Mayor Stimpson read a proclamation in honor of the 25th anniversary of our sister city exchange with Ichihara, Japan.

Mayor Stimpson announced that the LimeBike city-wide bike sharing service will officially kick-off on August 15, 2018.

PRESENTATIONS BY THE COUNCIL:

Councilmember Rich presented a proclamation declaring the week of August 12-18, 2018 as "National Health Care Week" in Mobile.

NEW COMMITTEE ASSIGNMENTS:

Council Vice President Manzie assigned the matter of Ordinance 01-024 to the Administrative Services Committee. The committee will be chaired by Councilmember Gregory with Councilmembers Richardson and Rich serving as members.

ADOPTION OF THE AGENDA:

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

Ayes: Richardson, Manzie, 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 Maurice White, Meal Ticket Records/Theodore Community, for a waiver of the Noise Ordinance at 7212 Bowers Lane on August 18, from 2:00 p.m. – 10:00 p.m. (District 3).

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

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

Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 2060 STOCKTON DRIVE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 2060 Stockton Drive 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 2504 FIRST 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 2504 First 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 1230 RAILROAD STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1230 Railroad Street is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

David Daughenbaugh, Deputy Director of Municipal Enforcement, stated that the owner will have the structure demolished. Mr. Daughenbaugh suggested the Council move forward with adopting the resolution to order the structure demolished.

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 800 AKA 804 HOLCOMBE AVENUE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 800 aka 804 Holcombe 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.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

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None.

NON-AGENDA ITEMS:

1. Reggie Hill, 1007 Center Street, offered his suggestions for the fiscal year 2019 budget.

ORDINANCES HELD OVER:

AMEND SECTION 39-77 OF THE CODE OF ORDINANCES FOR THE CITY OF MOBILE, ALABAMA TO PROHIBIT THE SALE, USE OR POSSESSION OF PLASTIC CONFETTI OR SERPENTINE. The following ordinance, which was introduced and read at the regular meeting of Tuesday, July 31, 2018 and held over for one (1) week until the regular meeting of August 7, 2018, was called up by the Presiding Officer.

ORDINANCE: 39-022-2018

Sponsored by: Councilmember Williams and Daves

AN ORDINANCE TO AMEND SECTION 39-77 OF THE CODE OF ORDINANCES FOR THE CITY OF MOBILE, ALABAMA TO PROHIBIT THE SALE, USE OR POSSESSION OF PLASTIC CONFETTI OR SERPENTINE

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

Section 1. Chapter 39-77 of the Code of Ordinances is hereby amended and restated as follows:

Sec. 39-77 - Use, sale, etc. of confetti.

It shall be unlawful and an offense against the City for any person to have in possession, keep, store, use, manufacture, sell, offer for sale, give away or handle any non-biodegradable, plastic-based confetti, serpentine, or other substance or matters similar thereto within the city or within its police jurisdiction.

Section 2. This ordinance shall be effective on and after its adoption and publication as required by law.

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

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

Nays: None

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

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. 39-022 Series 2018 was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on August 12, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand on this 7th day of August, 2018.

City Clerk

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AMEND SECTION 57-36 OF THE CODE OF ORDINANCES FOR THE CITY OF MOBILE, ALABAMA TO PROHIBIT THE SALE, USE OR POSSESSION OF PLASTIC CONFETTI OR SERPENTINE. The following ordinance, which was introduced and read at the regular meeting of Tuesday, July 31, 2018 and held over for one (1) week until the regular meeting of August 7, 2018, was called up by the Presiding Officer.

ORDINANCE: 57-023-2018

Sponsored by: Councilmember Williams and Daves

AN ORDINANCE TO AMEND SECTION 57-36 OF THE CODE OF ORDINANCES FOR THE CITY OF MOBILE, ALABAMA TO PROHIBIT THE SALE, USE OR POSSESSION OF PLASTIC CONFETTI OR SERPENTINE

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

Section 1. Chapter 57-36 of the Code of Ordinances Is hereby amended and restated as follows:

Sec. 57-36 - Trash, etc., in streets.

Except as otherwise provided in this Code, no person shall obstruct or encumber any street or public place in any way, or throw, leave or deposit in any street, gutter, ditch, drain or public place any cotton, lumber, firewood, cart, dray, wagon, hay, dung, ashes, kitchen stuff, cans, broken glass, parings, leather, paper, cloth, shavings, chips, brush, leaves or any kind of filth or trash or any other article whatever; provided, however, that the provisions hereof shall not apply to the throwing of trinkets, candy or biodegradable, non-plastic based, confetti or serpentine during Mardi Gras of each year.

Section 2. This ordinance shall be effective on and after its adoption and publication as required by law.

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

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

Nays: None

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

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. 39-022 Series 2018 was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on August 12, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand on this 7th day of August, 2018.

City Clerk

CIP RESOLUTIONS HELD OVER:

APPROVE UTILIZATION OF THE CAPITAL PROJECT PRIORITIZATION PROCESS FOR THE DURATION OF ITS 5-YEAR CAPITAL IMPROVEMENT PROGRAM. The following resolution, which was introduced and read at the regular meeting of Tuesday,

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July 31, 2018 and held over for one (1) week until the regular meeting of August 7, 2018, was called up by the Presiding Officer.

RESOLUTION: 11-549-2018

Sponsored by: Councilmember Small

WHEREAS Fiscal Year 2018-2019 (2019) is year 1 of a 5 Year, \$105 Million, capital program that follows a successful 3 year capital program the City implemented fiscal years 2015-2018 (2016, 2017, 2018); and,

WHEREAS the current backlog of deferred maintenance and infrastructure repair projects, based on the 3 year CIP, and input from the City Council members along with the information they collected from residents in their districts. Citizens, and City Staff, is now estimated at over three hundred million dollars; and,

WHEREAS to address that backlog the City retained the program manager from the prior three year CIP to continue the purposeful analysis of the City's capital needs, focusing on six core programs of work for parks, stormwater & drainage, streets, sidewalks, street Lighting and traffic for the benefit of the public; and,

WHEREAS the City Council members met with City staff and evaluated the CIP programs and projects through the application of an iterative process known as the Capital Project Prioritization Program, the same process used in the initial 3-year capital program; and,

WHEREAS, utilizing said process the City staff and Council prioritized the projects to produce a 5 Year Capital Improvement Plan, focusing initially on FY 2018-2019 (2019);

NOW THEREFORE, BE IT RESOLVED, the City Council hereby approves utilization of the Capital Project Prioritization Process for the duration of its 5 Year Capital Improvement Program.

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

Ayes: Richardson, Manzie, 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 FISCAL YEAR 2018-2019 (2019) CAPITAL IMPROVEMENT PLAN (YEAR 1 OF 5-YEAR PLAN). The following resolution, which was introduced and read at the regular meeting of Tuesday, July 31, 2018 and held over for one (1) week until the regular meeting of August 7, 2018, was called up by the Presiding Officer.

RESOLUTION: 11-550-2018

Sponsored by: Councilmember Small

WHEREAS Fiscal Year 2018-2019 (2019) is year 1 of a 5 Year, \$105 Million, capital program that follows a successful 3 year capital program the City implemented in fiscal years 2015-2018 (2016, 2017, 2018); and,

WHEREAS, utilizing the Capital Project Prioritization Program, approved by Council Resolution 11-449, City Staff, the Program Management Team, and Council identified the City's capital needs, and prioritized projects focusing on parks, storm water and drainage, streets, sidewalks, street lighting and traffic in a 5 Year Capital Improvement Plan, for Fiscal Years 2019-2023; and,

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WHEREAS, the Capital Improvement Plan for Fiscal Year 2018-2019 is attached hereto;

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby approves the attached Fiscal Year 2018-2019 (2019) Capital Improvement Plan (year 1 of 5 year plan) attached hereto.

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

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

Nays: None

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

RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH NEWMAN'S MEDICAL SERVICES FOR TRANSPORT OF DECEASED INDIVIDUALS WITHIN THE JURISDICTION OF THE CITY OF MOBILE, \$65,000.00 (1004 9000 40202). The following resolution, which was introduced and read at the regular meeting of Tuesday, July 31, 2018 and held over for one (1) week until the regular meeting of August 7, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-551-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract with Newman's Medical Services, 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.

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

Ayes: Richardson, Manzie, 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 VES SPECIALISTS FOR VARIOUS CITY FACILITIES OVERHEAD DOOR/COUNTER SHUTTER/ELECTRONIC GATE SERVICES, \$32,000.00 PER YEAR (\$96,000.00 TOTAL FOR 3-YEAR CONTRACT) (PB-123-18; C0029; 20002000-48010). The following resolution, which was introduced and read at the regular meeting of Tuesday, July 31, 2018 and held over for one (1) week until the regular meeting of August 7, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-552-2018

Sponsored by: Mayor Stimpson

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

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Name of company: VES SPECIALISTS

Project name: VARIOUS CITY FACILITIES
OVERHEAD DOOR/COUNTER SHUTTER/
ELECTRONIC GATE SERVICES

Project number: PB-123-18

Amount: \$32,000.00 PER YEAR
(\$96,000.00 TOTAL FOR 3-YEAR CONTRACT)

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

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

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

ORDINANCES BEING INTRODUCED:

ORDINANCE TO LEVY A STORM WATER FEE. The following ordinance was held over for one (1) week until the regular meeting of Tuesday, August 14, 2018.

ORDINANCE: 01-024-2018

Sponsored by: Mayor Stimpson

AN ORDINANCE TO LEVY A STORM WATER FEE

WHEREAS, the City of Mobile ("City") maintains a Municipal Separate Storm Sewer System ("MS4") in accordance with Federal and State law, the Clean Water Act, 33 USC § 1251, et seq., the Alabama Water Pollution Control Act and the Alabama Environmental Management Act; and,

WHEREAS, the City incurs substantial expenses to comply with the storm water laws; and,

WHEREAS, the State Legislature recognized that the implementation of efficient and effective storm water programs promotes the public interest and that counties and municipalities require funding to implement and enforce their storm water management programs, Acts of Alabama, Act No. 2014-439, Alabama Code § 11-89C-1, et seq.; and,

WHEREAS, Code of Alabama (1975), § 11-89c-9(d), authorizes the governing bodies of municipalities in the State of Alabama with NPDES permits for MS4s to levy a storm water fee, charge or assessment in accordance with the terms and conditions set out therein; and,

WHEREAS, the City of Mobile determines that it is in the public interest to establish a storm water fee as authorized by Alabama Code (1975), § 11-89C-9(d);

NOW, THEREFORE, BE IT ORDAINED as follows:

I. DEFINITIONS.

a. Agricultural land. Any real property classified or assessed as agricultural or forest land for property tax purposes.

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b. Commercial property. Any real property that is not residential property, as defined in this section, or has not specifically been exempted from the fee provisions set out in section 4 herein.

c. Commercial space. The area of a parcel of commercial property measured in square feet, according to the property tax assessment records of the Mobile County Revenue Commissioner.

d. Greenfield. Any real property not previously developed.

e. Municipal Separate Storm Sewer System (MS4). A conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains: (i) owned or operated by the City of Mobile; (ii) designed or used for collecting or conveying storm water; (iii) which is not a combined sewer; and (iv) which is not part of a publicly owned treatment works as defined in 40 CFR 5 122.2.

f. Owner. The person or persons to whom the Mobile County Revenue Commissioner assesses real property in the corporate limits of the City of Mobile.

g. Person. The word person shall include a corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.

h. Residential property. Any single family owner occupied residential property, historic buildings, or sites classified or assessed as Class III property, pursuant to § 217 of Article XI of the Constitution of Alabama of 1901.

i. Storm Water Management Program. The City Program developed in compliance with its NPDES permit to implement controls necessary to reduce the discharge of pollutants from its MS4 to the maximum extent practicable.

2. LEVY - RESIDENTIAL PROPERTY. There is hereby levied pursuant to Alabama Code (1975), § 11-89C-9(d)(2), an annual assessment in the amount of \$10.00 per year from or against the owners of residential property in the city limits of Mobile.

3. LEVY - COMMERCIAL PROPERTY. There is hereby levied pursuant to Alabama Code (1975), § 11-89C-9(d)(3), an annual assessment in the amount of \$.005 per square foot of commercial space from or against the owners of commercial property in the city limits of the City of Mobile, provided, however, that no such fee shall exceed \$3,000.00 per year.

4. EXEMPTIONS. The following are exempted from the storm water fees levied under sections 1 and 2 herein:

a. Lands and/or facilities owned and/or operated by one or more entities under the jurisdiction and supervision of the Alabama Public Service Commission.

b. Any commission non-jurisdictional electric supplier, as defined by § 37-4-140, whose service area extends beyond the boundaries of a single municipal or county jurisdiction.

c. Owners of greenfields and/or owners of agricultural land.

5. EFFECTIVE DATE. The storm water fee levied hereby shall become effective upon the effective date of this Ordinance.

6. COLLECTION. By agreement with the Revenue Commissioner Mobile County, the storm water fee shall be assessed, collected and enforced as are other ad valorem taxes, and shall be a lien upon any land to which it may be levied, and shall be assessed, collected and enforced in the same manner as ad valorem taxes.

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7. The City of Mobile shall pay to the Revenue Commissioner a one percent (1%) commission on all amounts collected, which commission shall be deposited to the Mobile County General Fund.

8. On a quarterly basis, not later than the 20th day of January, April, July and October, the City will remit 5% of all storm water fees collected to the Alabama Department of Revenue, which will transfer 95% of the fees it receives to the State Treasury to the credit of the Alabama Department of Environmental Management to be used exclusively to pay the costs of performing its duties to carry out programs to implement the storm water laws.

9. STORM WATER FUND. The storm water fees levied and collected pursuant to this Ordinance levied and collected shall be deposited into a fund known as the Storm Water Fund to be designated for expenses incurred complying with the City's NPDES permit for operation of its MS4; eliminating floatables from and improving water quality in the rivers, streams and waterways of the City; and such other additional storm water management activities required by the City's Storm Water Management Program. All amounts remaining in the Storm Water Fund at the end of the fiscal year shall not lapse but shall retain their dedication to storm water purposes.

10. APPEAL. Any person aggrieved by the assessment of a storm water fee levied hereunder shall file a written appeal with the City Clerk within the sixty (60) day period following either notice of the fee or payment of the fee, whichever occurs first. The appeal shall explain in detail the reason(s) the person filing the appeal asserts that the storm water fee was assessed in error. The City Clerk will forward the appeal to the Engineering Department, which will review the appeal and either: (1) prepare an explanation to the Clerk of why the storm water fee was properly assessed; or, (2) advise the Clerk's office that the fee is due to be rescinded and the amount paid refunded. The Clerk shall communicate the decision of the Engineering Department to the aggrieved person. Should any person be aggrieved by a decision of the Engineering Department, such person may appeal that decision by filing written notice of appeal with the City Clerk's office within fifteen (15) days from the date of such decision, and the City Clerk shall, within fifteen (15) days after the filing of such notice of appeal, send the applicable record to the City Council, which shall, within fifteen (15) days after receipt of such transcript, hold a hearing on said appeal. The appeal shall be determined solely on the question of whether the City, in assessing the storm water fee, acted beyond the limits of its power or abused its discretion.

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

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 03-553 through 40-559 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

APPOINT MASON FAIRLEY TO THE MOBILE CITY-COUNTY YOUTH COUNCIL. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-553-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Mason Fairley is appointed to the Mobile City-County Youth Council effective immediately.

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

Ayes: Richardson, Manzie, 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 THE MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE LIFEWAY CHRISTIAN RESOURCES, 2018 MFUGE GRANT, \$700.00 (NO LOCAL MATCH). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-554-2018

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 from LifeWay Christian Resources, MFUGE, a Notice of Award and Memorandum of Agreement for grant assistance in the approximate amount of \$700.00 for the 2018 MFUGE Grant.

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 this agency.

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE FOR TACO MAMA, 100 NORTH FLORIDA STREET, SUITE B-1. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-555-2018

Sponsored by: Councilmember Richardson

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

Type of application: Restaurant Retail Liquor License

Submitted by: Live and Let Live, LLC

Location: Taco Mama
100 North Florida Street, Suite B-1
Mobile, AL 36607

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

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Ayes: Richardson, Manzie, 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 2060 STOCKTON DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-556-2018

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52. Article II of the Mobile City Code, Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 2060 Stockton Drive has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 2060 Stockton Drive described as:

LOT 11 BLK 7 FULTON RIDGE ESTS MBK 4 PGS 110-115 #SEC 32 T4S RIW #MP29 1132 4 002

Parcel number: 29 11 32 4 002 024

Last assessed to: COLEMAN CEDRIC

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

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

Nays: None

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

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DECLARE THE STRUCTURE AT 2504 FIRST AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-557-2018

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 2504 First 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, 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 2504 First Avenue described as:

LOT 24 BLK 1 & LOT 23 BLK 1 IN EXTTO ST STEPHENS HIGHLAND MBK 3 NS P 675 & 676 #SEC 44 T4S RIW #IV1P29 02 44 0 009

Parcel number: 29 02 44 0 009 243

Last assessed to: FERRYMAN JOHN BENJAMIN &
RUTH NELL FERRYMAN

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

Ayes: Richardson, Manzie, 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 1230 RAILROAD STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-558-2018

Sponsored by: Councilmember Richardson

MINUTES OF AUGUST 7, 2018

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 1230 Railroad 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, and 8; 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 1230 Railroad Street described as:

LOT 16 BLK 2 MECHEIVI & SAGE 2ND SUB OF LAFARGUE PLACE #SEC 44 T4S RIW #MP29 02 44 0 013

Parcel number: 29 02 44 0 013 280

Last assessed to: WILLIAMS ANTIONETTE

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

Ayes: Richardson, Manzie, 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 800 AKA 804 HOLCOMBE AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-559-2018

Sponsored by: Councilmember Daves

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 800 aka 804 Holcombe 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, 8 and 15;

MINUTES OF AUGUST 7, 2018

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 800 aka 804 Holcombe Avenue described as:

BEG AT NW COR OF LOT 18 BLK 34 BON AIR ESTATES DBK 156 PG 374-377 TH RUN E 150 FT TH S 65 FT TH NWLY 162.07 FT TH NELY 18.85 FT TO FOB #SEC 29 T4S RIW #iVIP29 09 29 4 001

Parcel number: 29 09 29 4 001078

Last assessed to: DENSON ROLAND

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

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

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

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE MASTER SERVICES AGREEMENT WITH BYRD SURVEYING, INC. FOR PROFESSIONAL SURVEYING AND CONSULTANT SERVICES TO ASSIST THE CITY ENGINEERING DEPARTMENT IN PERFORMANCE OF ITS DUTIES THROUGHOUT THE CITY. The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 14, 2018.

RESOLUTION: 01-560-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract by and between the City of Mobile and Byrd Surveying, Inc. for work as outlined in the Master Services Agreement attached hereto and a 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.

AUTHORIZE AGREEMENT WITH THE REVENUE COMMISSIONER, MOBILE COUNTY, ALABAMA, TO COLLECT THE CITY OF MOBILE ANNUAL STORM WATER FEE. The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 14, 2018.

RESOLUTION: 01-561-2018

MINUTES OF AUGUST 7, 2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby the, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with the Revenue Commissioner, Mobile County, Alabama, for services 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.

AUTHORIZE CONTRACT WITH AT&T MOBILITY NATIONAL ACCOUNTS FOR MFRD AND MPD SUBSCRIPTIONS AND EQUIPMENT TO ACCESS FIRSTNET EMERGENCY RESPONSE CELLULAR COMMUNICATIONS NETWORK, NTE \$100,000.00 PER YEAR (EM6120612046010; 1004152646010). The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 14, 2018.

RESOLUTION: 21-562-2018

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 contract, by and between the City of Mobile and AT&T Mobility National Accounts LLC, in an amount not to exceed \$100,000 per year, for a two-year period, and renewable for one additional year, for the provision of FirstNet wireless communications equipment and services, 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.

AUTHORIZE CONTRACT WITH C & C MARINE, LLC FOR MCNALLY PARK MAINTENANCE DREDGING, \$198,850.00 (COM PROJECT NO. 2018-3005-23; C0382). The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 14, 2018.

RESOLUTION: 21-563-2018

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 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: C & C Marine, LLC

Project name: McNally Park Maintenance Dredging
COM project no. 2018-3005-23

Estimated cost: \$198,850.00

AUTHORIZE THE MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE U. S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FY 2016 ASSISTANCE TO FIREFIGHTERS GRANT, \$691,000.00 (\$62,900.00 LOCAL MATCH). The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 14, 2018.

RESOLUTION: 31-564-2018

MINUTES OF AUGUST 7, 2018

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 from the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), a Notice of Award and Memorandum of Agreement for grant assistance in the approximate amount of \$691,900.00 for FY 2016 Assistance to Firefighters Grant Program.

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 Homeland Security and any other federal agency.

AUTHORIZE THE MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE U. S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FY 2017 ASSISTANCE TO FIREFIGHTERS GRANT, \$815,812.00 (\$74,164.00 LOCAL MATCH). The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 14, 2018.

RESOLUTION: 31-565-2018

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 from the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), a Notice of Award and Memorandum of Agreement for grant assistance in the approximate amount of \$815,812.00 for FY 2017 Assistance to Firefighters Grant Program.

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 Homeland Security and any other federal agency.

ANNOUNCEMENTS:

Councilmember Richardson spoke about several businesses and possible employment opportunities coming to district one.

Councilmember Rich extended her wishes to everyone for a successful school year and reminded motorists to use caution in school zones.

Councilmember Gregory thanked everyone involved with the district seven community meeting last night.

Councilmember Gregory announced that the Administrative Services Committee will meet to discuss Ordinance 01-024 on Thursday, August 16, 2018, at 11:00 a.m., in the Council's conference room.

Councilmember Manzie recognized Mobile County Public School Board member Robert Battles in the audience.

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

Ayes: Richardson, Manzie, 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 11:23 a.m.

Approved: August 14, 2018

MINUTES OF AUGUST 7, 2018

COUNCIL VICE PRESIDENT

CITY CLERK