

MUNICIPAL BUILDING, MOBILE, ALABAMA, JULY 31, 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, July 31, 2018, at 9:00 a.m.

Present:

Chairman: Manzie

Councilmembers: Richardson, Williams, Daves and Rich

Absent: Small and Gregory

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m. on Tuesday, July 31, 2018.

The Presiding Officer adjourned the meeting.

Approved: August 7, 2018

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, JULY 31, 2018

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, July 31, 2018, at 10:30 a.m., in regular meeting.

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

Reverend W. E. Jones, Friendship Baptist Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

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.

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

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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 24, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson gave remarks in support of the City financially contributing to the proposed University of South Alabama football stadium and encouraged the Council to vote in favor of resolution 01-444.

PRESENTATIONS BY THE COUNCIL:

Councilmember Manzie presented a proclamation declaring today as "Ms. Stacy Hamilton Day" in appreciation for her hard work with Visit Mobile and offered best wishes for continued success in her future endeavors.

NEW COMMITTEE ASSIGNMENTS:

None.

ADOPTION OF THE AGENDA:

Councilmember Daves 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 appeal of Lance and Ellen Lynch concerning the Architectural Review Board's denial of the application to alter the property at 1110 Palmetto Street (held over from July 17, 2018).

Paige Largue, Historic Development, spoke in opposition of the appeal.

Councilmember Williams stated for the record:

"This first appeared before us several weeks ago and we decided to wait and give an opportunity for the appellant to come before us and make their case. This is the second time and it appears that the appellant is not here. I wanted that for the record."

Councilmember Williams moved to affirm the Architectural Review Board's decision, which motion was seconded by Councilmember Rich.

Following comments from Councilmembers Rich and Daves 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 appeal denied.

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The Council considered the request of Kingdom Covenant Connections, Inc. for a waiver of the Noise Ordinance at 180 Lyons Park Avenue, Lyons Park, on September 8, and September 9, 2018, from 8:00 a.m. – 6:00 p.m. (District 2).

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

The Council considered the request of Pastor Montgomery Portis, Jr., Mt. Zion Baptist Church, for a waiver of the Noise Ordinance at 1012 Adams Street on October 13, 2018, from 10:00 a.m. – 5:00 p.m. (District 2).

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

PUBLIC HEARINGS:

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1110 ADAMS 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 1110 Adams 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 DETERMINE IF THE STRUCTURE AT 206 NORMAN 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 206 Norman 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 DETERMINE IF THE STRUCTURE AT 402 PEACE LANE 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 402 Peace Lane 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.

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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 1104 GAYLE STREET 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 1104 Gayle 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 DETERMINE IF THE STRUCTURE AT 1109 LINCOLN AVENUE 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 1109 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 1305 BASIL 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 1305 Basil 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 DETERMINE IF THE STRUCTURE AT 1324 CONGRESS 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 1324 Congress 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 DETERMINE IF THE STRUCTURE AT 1109 ADAMS 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 1109 Adams 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.

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PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1355 HERCULES STREET AKA DALE AVENUE 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 1355 Hercules Street aka Dale 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:

1. Josh Gulsby, 6131 Pherin Woods Court, voiced his support of the City financially contributing to the proposed University of South Alabama football stadium.
2. Gregory Dennis, 5919 Warringwood Drive, South, spoke in opposition to the proposed University of South Alabama football stadium and expressed his concerns about issues in the Hillsdale Heights subdivision.
3. Ann Davis, Ladd-Peebles Stadium Board chair, 967 Westbury Drive, said there is a lack of information provided by the Administration to the Ladd Stadium board.
4. Vic Knight, representing the Michigan Group/Ladd Stadium, 15 Soldiers Drive, Spanish Fort, Alabama, provided the Council with Ladd's financial statement and five (5) year projections.

NON-AGENDA ITEMS:

1. Kelly L. Baker, 255 State Street, voiced concerns regarding violations to the Downtown Development District codes and zoning.
2. Dr. Raoul Richardson, 650 Clinic Drive, invited the Council to the Ethnic and Heritage Jazz Festival.

ORDINANCES HELD OVER:

AMEND CITY OF MOBILE ORDINANCE 01-004-2017, SECTIONS 101, 107, 112, 201 AND 202 OF THE TARIFF FOR THE CITY OF MOBILE, ALABAMA CRUISE TERMINAL. The following ordinance, which was introduced and read at the meeting of Tuesday, July 24, 2018 and held over until the regular meeting of July 31, 2018, was called up by the Presiding Officer.

ORDINANCE: 01-020-2018

Submitted by: Mayor Stimpson

AN ORDINANCE TO AMEND CITY OF MOBILE ORDINANCE 01-004-2017, SECTIONS 101, 107, 112, 201, and 202 OF THE TARIFF FOR THE CITY OF MOBILE, MOBILE ALABAMA CRUISE TERMINAL

BE IT ORDAINED BY THE CITY OF MOBILE, ALABAMA, that Ordinance 01-004-2017, Sections 101, 107, 112, 201 and 202 of the Tariff for the City of Mobile, Mobile Alabama Cruise Terminal shall be amended as follows:

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SECTION I AMENDMENTS:

SECTION 101 DEFINITIONS shall be amended to revise the definitions of "Facilities" and "Usage," and to add definitions of "Mobile Landing Boat Dock" and "Small Commercial Passenger Vessel," as follows:

FACILITIES: Any and all facilities of any kind on or at the Terminal, including the Terminal, and the Mobile Landing, and the Mobile Landing Boat Dock.

MOBILE LANDING BOAT DOCK: The City of Mobile owned floating boat dock located at the north end of the Mobile Landing and the south end of Cooper Riverside Park.

SMALL COMMERCIAL PASSENGER VESSEL: Any vessel certified to carry passengers for hire less than 70 feet in length.

USAGE: The use of the Terminal Facilities, including but not limited to, use by any vessel, Small Commercial Passenger Vessel, owner, charterer, or agent, rail carrier, lighter operator, trucker, shipper, or consignee, their agents, servants and/or employees.

Section 107 ACCESS TO THE CITY OF MOBILE ALABAMA CRUISE TERMINAL FACILITY shall be amended by the addition of Subsection E which shall read as follows:

E. Use of the Mobile Landing Boat Dock is restricted to Small Commercial Passenger Vessels for the purpose of embarking and disembarking passengers. Overnight mooring is prohibited. Users of the Mobile Landing Boat Dock must comply with all Federal and State requirements for carrying passengers for hire.

Section 112 INDEMNIFICATION AND INSURANCE REQUIREMENTS FOR TERMINAL USERS shall be amended by the addition of Subsection H which shall read as follows:

H. REQUIRED COVERAGE TYPES AND MINIMUM LIMITS FOR SMALL COMMERCIAL PASSENGER VESSELS Notwithstanding Subsection G above, the required insurance coverage types and minimum limits for Small Commercial Passenger Vessels shall be as follows:

Comprehensive general liability coverage with limits of not less than One Million and no/100 Dollars (\$1,000,000.00) per occurrence for death, bodily injury, personal injury, and property damage, and in the sum of One Million and no/100 Dollars (\$1,000,000.00) for injury to or death of more than one person for each occurrence. Each insurance policy shall name the City as an additional insured and it shall be endorsed to state that: (i) coverage shall not be suspended, voided, or cancelled by either party, or reduced in coverage or in limits, except after thirty (30) calendar days prior written notice by certified mail, return receipt requested, has been given to City; and (ii) for any covered claims, coverage shall be primary insurance as respects the City and any insurance or self-insurance maintained by the City shall be in excess of insurance and shall not contribute with it. The insurance required to be provided herein shall be underwritten by an insurance company approved by City, which approval shall not be unreasonably withheld.

Section 201 DOCKAGE CHARGES shall be amended so as to add the sentence "Notwithstanding the foregoing, dockage charges will not be assessed to Small Commercial Passenger Vessels" as follows:

201 DOCKAGE CHARGES

Dockage charges will be computed on Length Overall (LOA) of vessel as published in Lloyd's Register of Shipping; dockage will be based on an initial 24-hour period, after which a prorated charge will be assessed based on a 6-hour period or fraction thereof. Notwithstanding the foregoing, dockage charges will not be assessed to Small Commercial Passenger Vessels.

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Section 202 WHARFAGE CHARGES is amended by the addition of Subsection 202 A. which shall read as follows:

202 A. The wharfage charges listed in section 202 of this tariff do not apply to users of the Mobile Landing Boat Dock. The City of Mobile reserves the right to assess wharfage fees at any time.

SECTION II. REPEALER: All City Code sections and ordinances or parts of City Code sections and ordinances in conflict are hereby repealed.

SECTION III. EFFECTIVE DATE: The effective date of this Ordinance is July 31, 2018.

SECTION IV. PUBLICATION: A copy of this ordinance shall be published pursuant and according to law, after its adoption.

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.

AMEND CHAPTER 52 OF THE MOBILE CITY CODE PERTAINING TO BOARDING STANDARDS, HAZARD TREES AND TREE LIMBS AND UPDATED WEED ABATEMENT FEES. The following ordinance, which was introduced and read at the regular meeting of Tuesday, June 19, 2018, was held over until the regular meeting of June 26, 2018, then held over until the regular meeting of July 3, 2018, was held over again until the regular meeting of July 17, 2018, and held over until the regular meeting of July 31, 2018, was called up by the Presiding Officer.

ORDINANCE: 52-015-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

AN ORDINANCE TO AMEND CHAPTER 52 OF THE MOBILE CITY CODE

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

SECTION ONE. That CHAPTER 52, ARTICLE I, of Mobile City Code, is hereby amended to read as follows:

Delete the existing Section 108.2 and replace to read as follows:

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as to not be an attractive nuisance in accordance with §108.2.2. Upon failure of the owner to close up the premises within twenty (20) days of the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof, plus a fee equal to all direct and indirect costs incurred with administration and enforcement of this section in regard of the structure, shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

Add the following section:

108.2.2 Boarding Methods.

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(a) General Requirement. Unless otherwise provided in this Chapter, all residential property that is unsecure shall be secured by boarding unsecure windows, doors, and other openings with sheeting material in accordance with this Section. As used herein, "sheeting material" or "sheeting" means a minimum of .177-inch thick clear or semi-clear shatter-proof polycarbonate material with a strength capable of sustaining impact without breaking or shattering, absent excessive force. Sheeting shall be installed in a manner intended to provide an appearance approximating glass in the window casings and consistent in appearance with the surrounding surface in the case of all other openings that require securing. Unless otherwise granted a variance by the Code Official from strict compliance herewith, materials such as plywood, particle board, wafer board, Masonite or other similar material shall not be used for boarding up residential property.

(b) Boarding Standard – Windows.

i. Internal Compression Method. Windows with broken, missing, or removed glass, or that are otherwise unsecure, shall be boarded as follows:

1. All remaining broken glass shall be removed from the window opening including damaged frames as to provide a clean opening;

2. The sheeting material shall be cut to match the dimensions of the inside of the window casing so that when installed, the sheeting will fit tightly and not permit a tool to be placed behind it;

3. A ½-inch hole shall be drilled into each of the four corners of the sheeting material. The holes shall be positioned so they are no more than 1-inch from the window frame at the width and no more than 6 inches from the window sill and top frame.

4. Two solid continuous composite cross-beams shall be cut in sufficient length to be no less than 3.5 inches longer than the horizontal width of the interior window casing and extending not longer than 6 inches longer than the horizontal width of the interior window casing. Each cross-beam shall be predrilled with 7/16-inch holes that are positioned to match the horizontal pattern of the holes in the sheeting.

5. The sheeting shall be secured in place over the exterior of the window opening by placing a 3/8-inch corrosion resistant, smooth-head carriage bolt through each of the holes in the sheeting and then placing one washer onto each of the carriage bolts; the cross-beams shall then be aligned and affixed to such carriage bolts from the interior of the window opening. Another nut and washer shall be placed onto each of the carriage bolts and tightened with a ratchet to achieve sufficient torque and a slight deflection in the cross-beams so that the nuts cannot be loosened by hand. Once secured, no space shall exist between the sheeting and the exterior window casing.

ii. Exterior Screw Method. Fixed or inoperable windows with intact glass; or windows in which the internal compression method is impractical shall be secured as follows:

1. The sheeting material shall be cut to match the dimensions of the inside of the window casing so that when installed, the sheeting will fit tightly and not permit a tool to be placed behind it;

2. Drill and countersink holes shall be made along the perimeter of the sheeting material starting with a hold at each of the four corners and adding additional holes at 10-inch increments around the perimeter of the sheeting. Minimum length 2-inch corrosion resistant security head screws shall be used in each hole to affix the sheeting to the window frame or exterior casing.

3. In the event the sheeting cannot be secured by cutting the sheeting material so as to neatly fit the inside window casing, the sheeting shall be placed over the exterior window casing such that the sheeting material covers the entire window casing and is flush with the exterior dimension of the casing. The sheeting material shall be secured with minimum length 2-inch corrosion resistant security head screws secured at the

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corners, and along the sheeting outer edges in 10-inch spaced increments as described in subsection (a) above.

iii. Waivers. The Code Official may grant waivers from this section under, but not limited to, the following circumstances:

1. Physical characteristics which make installation of the sheeting impractical (for example, due to excessive frame, door and/or wall damage, or windows that are in an arc or other unusual inset or characteristic);
2. Economic Hardships; or,
3. Unavailability of the sheeting material.

Properties the subject of the waiver may be secured in any manner, subject to the Code Official's approval, necessary to achieve substantive compliance with this chapter.

c. Boarding Standard – Unsecure Doors; Sliding or Other Doors.

i. Exterior Access Door. At least one exterior door shall allow authorized persons access to the interior of the residential property. Such exterior access door may be secured by:

1. Using a solid core wood or steel door with no windows or other openings in the door;
2. Or hinged sheeting material. The door shall be securely locked using a padlock and hasp assembly that is bolted through the door or sheeting material. The lock loop portion of the hasp shall be attached to the door frame using a minimum of 3-inch long security screws.

i. Sliding glass doors and other exterior doors. Sliding glass doors or exterior doors other than the exterior access door shall be secured in the same manner as described in Section 180.2.2. (b).ii.

Delete Appendix A Boarding Standard, Section A101 General through A103.5 Doors.

Amend 202 General Definitions, to include the following terms and definitions to read as follows:

Hazard Tree - A tree the Urban Forester has determined to have a structural defect and location that increases the chance of failing and hitting a target. The combination of a defect and target can result in property damage or personal injury.

Hazard Limb – A tree limb the Urban Forester has determined to have a structural defect and location that increases the chance of failing and hitting a target. The combination of a defect and target can result in property damage or personal injury.

Tree - A large woody perennial plant that grows to a mature height greater than 16 feet and typically has a single erect main stem (trunk) with side branches.

Urban Forester – The City of Mobile employee specially trained in forestry, urban forestry, arboriculture and urbiculture, or his/her duly authorized designee.

Tree Limb – Any of the main branches arising from the main stem (trunk) of the tree.

Amend 302 Exterior Property Areas, to include and read as follows:

302.10 Hazard Tree – Any dead or Hazard Tree located on the premises which has the possibility to fall into the public way or right of way shall be removed. Failure to remove the Hazard Tree after receiving a notice of violation from the Urban Forester shall constitute a violation of this code section.

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302.11 Hazard Limb – Any dead or Hazard Tree limb 2 inches in diameter or larger that is attached to a tree located on the premises which have the possibility to fall into the public way or right of way shall be removed. Failure to remove the Hazard Limb after receiving a notice of violation from the Urban Forester shall constitute a violation of this code section.

SECTION TWO. That CHAPTER 52, ARTICLE III, of Mobile City Code, is hereby amended to read as follows:

Delete existing Section 12 (now codified as Sec. 52-72) in its entirety and replace to read, as follows:

Section 72. Charges. (a) The following charges will be established for cutting/cleaning of properties designated as a public nuisance by the city council under provisions of this article and Code of Alabama, Section 11-67-1 et seq.:

(1) Abatement costs:

(a) Per square foot cut \$0.0125; with a minimum lot cutting cost of \$125.00 per lot.

(b) Per cubic yard debris removal \$7.00

(c) Per spare tire \$3.00

(2) Administrative charges are to accrue as follows:

(a) If the lot is cut prior to abatement by either the contractor or City \$50.00

(b) If the lot is cut by the contractor \$50.00

(c) If the lot is cut by the city \$50.00

(3) Penalties:

(a) For every additional time a lot is cut by the City or a contractor within a 36 month period from the date of the initial nuisance declaration, administrative charges will increase by a \$100 per abatement.

(b) In the event that subject property is brought into complete compliance with this article after the property is declared a public nuisance and prior to the private contractor or City crew being dispatched for cutting, the property will not be cut; however, the assessed owner will be subject to and liable for the administrative charges which will be collected in the same manner as other charges in accordance with this article and Code of Alabama, Section 11-67-1 et seq.

(c) In the event that subject property is not brought into complete compliance with this article prior to the date designated by the City Council for the property to be delegated to a private contractor or City crew for cleaning, subject property will be completely cleaned and a "weed lien" shall be assessed against the property in the amount of administrative charges and cleaning costs in accordance with this article and Code of Alabama, Section 11-67-1 et seq.

(d) Prior to a vacant lot being declared a public nuisance by the city council, a private contractor and individual property owners may mutually contract for the regular maintenance of subject property at a different rate from those prescribed in this article by the City. However, once such property is declared a public nuisance by the City Council, the areas must be in compliance with this article.

SECTION THREE. That CHAPTER 52, ARTICLE VI, of Mobile City Code, is hereby amended to read as follows:

Deleted existing Section 151, Findings and Purpose, and replace to read as follows:

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(a) The City Council has found and declared:

(1) That there exist in the city blighted areas, as defined herein, or areas in the process of becoming blighted;

(2) That such areas impair economic values and tax revenues, cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals, and welfare of the residents of the city, and that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities;

(3) That restoration, clearance, re-planning, and/or rebuilding of these areas and the prevention or the reduction of blight and its causes are public uses and purposes for which public money may be spent and private property acquired and are considered governmental functions of state and city concern;

(4) That the traditional method of boarding up windows with plywood is unsightly and can contribute to blight and decline in property values in neighborhoods with large number of vacant and abandoned buildings;

(5) That redevelopment activities will stimulate residential construction which is closely correlated with general economic activity and that the undertakings authorized by this chapter will aid the production of better housing and more desirable neighborhood and community development at lower costs and will make possible a more stable and larger volume of residential construction, which will assist materially in achieving and maintaining full employment; and

(6) That it is in the public interest that advance preparation for such projects and activities be made now.

(b) The necessity in the public interest for this chapter is hereby declared as a matter of legislative determination.

(Ord. No. 65-048-2017, § 6, 12-5-17)

Amend Section 152, subsection (c) to read and include, immediately following subsection (9), as follows:

(10) The presence of vacant or abandoned property which has not been secured, and/or property which has been attempted to have been secured by improper or ineffectual means, including but not limited to using materials such as plywood, particle board, wafer board, Masonite or other similar material.

SECTION THREE. That CHAPTER 52, ARTICLE II, of Mobile City Code, is hereby amended to read as follows:

Delete existing subsection 25 and replace to read, as follows:

All dangerous and unsafe buildings or structures are hereby declared to be public nuisances, and shall be repaired, secured, demolished and/or vacated as provided by this article.

SECTION FOUR. Effective Date. This Ordinance, and the amendments to the Property Maintenance Code made by this Ordinance, shall be in full force and effect from and after its adoption and publication as required by law.

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

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SECTION SIX. Conflicts. All ordinances and laws, or parts thereof that are in conflict with the provisions of this Ordinance, are hereby repealed.

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

Councilmember Richardson then moved to accept the amendments to the original ordinance, which move was seconded by Councilmember Daves 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 original ordinance amended as follows:

AN ORDINANCE TO AMEND CHAPTER 52 OF THE MOBILE CITY CODE

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

SECTION ONE. That CHAPTER 52, ARTICLE I, of Mobile City Code, is hereby amended to read as follows:

Amend the existing Section 108.2 to read as follows:

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as to not be an attractive nuisance in accordance with §108.2.2. Upon failure of the owner to close up the premises within twenty (20) days of the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof, plus a fee equal to all direct and indirect costs incurred with administration and enforcement of this section in regard of the structure, shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

Add the following section:

108.2.2 Boarding Methods Required for Commercial Property and Optional for Residential Property.

(a) General Requirement. Unless otherwise provided in this Chapter, all commercial property that is unsecure shall be secured by boarding unsecure windows, doors, and other openings with sheeting material in accordance with this Section. As used herein, "sheeting material" or "sheeting" means a minimum of .177-inch thick clear or semi-clear shatter-proof polycarbonate material with a strength capable of sustaining impact without breaking or shattering, absent excessive force. Sheeting shall be installed in a manner intended to provide an appearance approximating glass in the window casings and consistent in appearance with the surrounding surface in the case of all other openings that require securing. Unless otherwise granted a waiver by the Code Official from strict compliance herewith, materials such as plywood, particle board, wafer board, Masonite or other similar material shall not be used for boarding up commercial property. Property may be boarded with polycarbonate sheeting material.

(b) Boarding Standard-Windows.

i. Internal Compression Method. Windows with broken, missing, or removed glass, or that are otherwise unsecure, shall be boarded as follows:

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1. All remaining broken glass shall be removed from the window opening including damaged frames as to provide a clean opening;

2. The sheeting material shall be cut to match the dimensions of the inside of the window casing so that when installed, the sheeting will fit tightly and not permit a tool to be placed behind it;

3. A 1/4-inch hole shall be drilled into each of the four corners of the sheeting material. The holes shall be positioned so they are no more than 1-inch from the window frame at the width and no more than 6 inches from the window sill and top frame

4. Two solid continuous composite cross-beams shall be cut in sufficient length to be no less than 3.5 inches longer than the horizontal width of the interior window casing and extending not longer than 6 inches longer than the horizontal width of the interior window casing. Each cross-beam shall be predrilled with 7/16-inch holes that are positioned to match the horizontal pattern of the holes in the sheeting.

5. The sheeting shall be secured in place over the exterior of the window opening by placing a 3/8-inch corrosion resistant, smooth-head carriage bolt through each of the holes in the sheeting and then placing one washer onto each of the carriage bolts; the cross-beams shall then be aligned and affixed to such carriage bolts from the interior of the window opening. Another nut and washer shall be placed onto each of the carriage bolts and tightened with a ratchet to achieve sufficient torque and a slight deflection in the cross-beams so that the nuts cannot be loosened by hand. Once secured, no space shall exist between the sheeting and the exterior window casing.

ii. Exterior Screw Method. Fixed or inoperable windows with intact glass; or windows in which the internal compression method is impractical shall be secured as follows:

1. The sheeting material shall be cut to match the dimensions of the inside of the window casing so that when installed, the sheeting will fit tightly and not permit a tool to be placed behind it;

2. Drill and countersink holes shall be made along the perimeter of the sheeting material starting with a hole at each of the four corners and adding additional holes at 10-inch increments around the perimeter of the sheeting. Minimum length 2-inch corrosion resistant security head screws shall be used in each hole to affix the sheeting to the window frame or exterior casing.

3. In the event the sheeting cannot be secured by cutting the sheeting material so as to neatly fit the inside window casing, the sheeting shall be placed over the exterior window casing such that the sheeting material covers the entire window casing and is flush with the exterior dimension of the casing. The sheeting material shall be secured with minimum length 2-inch corrosion resistant security head screws secured at the corners, and along the sheeting outer edges in 10-inch spaced increments as described in subsection (a) above.

iii. Waivers. The Code Official may grant waivers from this section under, but not limited to, the following circumstances:

1. Physical characteristics which make installation of the sheeting impractical (for example, due to excessive frame, door and/or wall damage, or windows that are in an arc or other unusual inset or characteristic);

2. Economic Hardships; or,

3. Unavailability of the sheeting material.

Properties the subject of the waiver may be secured in any manner, subject to the Code Official's approval, necessary to achieve substantive compliance with this chapter.

c. Boarding Standard - Unsecure Doors; Sliding or Other Doors.

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i. Exterior Access Door. At least one exterior door shall allow authorized persons access to the Interior of the Property. Such exterior access door may be secured by:

1. Using a solid core wood or steel door with no windows or other openings in the door;
 2. Or hinged sheeting material. The door shall be securely locked using a padlock and hasp assembly that is bolted through the door or sheeting material. The lock loop portion of the hasp shall be attached to the door frame using a minimum of 3-inch long security screws.
- ii. Sliding glass doors and other exterior doors. Sliding glass doors or exterior doors other than the exterior access door shall be secured in the same manner as described in Section 180.2.2. (b).ii.

Amend the title of Appendix A to read as follows "Boarding Standard-Residential Property, Section A101 General through A103.5 Doors."

Amend 202 General Definitions, to include the following terms and definitions to read as follows:

Hazard Tree - A tree the Urban Forester has determined to have a structural defect and location that increases the chance of failing and hitting a target. The combination of a defect and target can result in property damage or personal injury.

Hazard Limb - A tree limb the Urban Forester has determined to have a structural defect and location that increases the chance of failing and hitting a target. The combination of a defect and target can result in property damage or personal injury.

Tree - A large woody perennial plant that grows to a mature height greater than 16 feet and typically has a single erect main stem (trunk) with side branches.

Urban Forester - The City of Mobile employee specially trained in forestry, urban forestry, arboriculture and urbiculture, or his/her duly authorized designee.

Tree Limb - Any of the main branches arising from the main stem (trunk) of the tree.

Amend 302 Exterior Property Areas, to include and read as follows:

302.10 Hazard Tree - Any dead or Hazard Tree located on the premises which has the possibility to fall into the public way or right of way shall be removed. Failure to remove the Hazard Tree after receiving a notice of violation from the Urban Forester shall constitute a violation of this code section.

302.11 Hazard Limb -Any dead or Hazard Tree limb 2 inches in diameter or larger that is attached to a tree located on the premises which have the possibility to fall into the public way or right of way shall be removed. Failure to remove the Hazard Limb after receiving a notice of violation from the Urban Forester shall constitute a violation of this code section.

SECTION TWO. That CHAPTER 52, ARTICLE III, of Mobile City Code, is hereby amended to read as follows:

Delete existing Section 12 (now codified as Sec. 52-72) in its entirety and replace to read, as follows:

Section 72. Charges. (a) The following charges will be established for cutting/cleaning of properties designated as a public nuisance by the City Council under provisions of this article and Code of Alabama, Section 11-67-1 et seq.:

(1) Abatement costs:

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(a) Per square foot cut \$0.0125; with a minimum lot cutting cost of \$125.00 per lot.

(b) Per cubic yard debris removal 7.00.

(c) Per spare tire \$3.00.

(2) Administrative charges are to accrue as follows:

(a) If the lot is cut prior to abatement by either the contractor or City 50.00.

(b) If the lot is cut by the contractor 50.00.

(c) If the lot is cut by the city 50.00.

(3) Penalties:

(a) For every additional time a lot is cut by the City or a contractor within a 36 month period from the date of the initial nuisance declaration, administrative charges will increase by a \$100 per abatement.

(b) In the event that subject property is brought into complete compliance with this article after the property is declared a public nuisance and prior to the private contractor or City crew being dispatched for cutting, the property will not be cut; however, the assessed owner will be subject to and liable for the administrative charges which will be collected in the same manner as other charges in accordance with this article and Code of Alabama, Section 11-67-1 et seq.

(c) In the event that subject property is not brought into complete compliance with this article prior to the date designated by the City Council for the property to be delegated to a private contractor or City crew for cleaning, subject property will be completely cleaned and a "weed lien" shall be assessed against the property in the amount of administrative charges and cleaning costs in accordance with this article and Code of Alabama, Section 11-67-1 et seq.

(d) Prior to a vacant lot being declared a public nuisance by the City Council, a private contractor and individual property owners may mutually contract for the regular maintenance of subject property at a different rate from those prescribed in this article by the city. However, once such property is declared a public nuisance by the City Council, the areas must be in compliance with this article.

SECTION THREE. That CHAPTER 52, ARTICLE VI, of Mobile City Code, is hereby amended to read as follows:

Deleted existing Section 151, Findings and Purpose, and replace to read as follows:

(a) The City Council has found and declared:

(1) That there exist in the city blighted areas, as defined herein, or areas in the process of becoming blighted;

(2) That such areas impair economic values and tax revenues, cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals, and welfare of the residents of the city, and that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities;

(3) That restoration, clearance, re-planning, and/or rebuilding of these areas and the prevention or the reduction of blight and its causes are public uses and purposes for which public money may be spent and private property acquired and are considered governmental functions of State and City concern;

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(4) That the traditional method of boarding up windows with plywood is unsightly and can contribute to blight and decline in property values in neighborhoods with large number of vacant and abandoned buildings;

(5) That redevelopment activities will stimulate residential construction which is closely correlated with general economic activity and that the undertakings authorized by this chapter will aid the production of better housing and more desirable neighborhood and community development at lower costs and will make possible a more stable and larger volume of residential construction, which will assist materially in achieving and maintaining full employment; and

(6) That it is in the public interest that advance preparation for such projects and activities be made now.

(b) The necessity in the public interest for this chapter is hereby declared as a matter of legislative determination.

(Ord. No. 65-048-2017 § 6, 12-5-17)

Amend Section 152, subsection (c) to read and include, immediately following subsection (9), as follows:

(10) The presence of vacant or abandoned property which has not been secured, and/or property which has been attempted to have been secured by improper or ineffectual means, including but not limited to using materials such as plywood, particle board, wafer board, Masonite or other similar material.

SECTION THREE. That CHAPTER 52, ARTICLE II, of Mobile City Code, is hereby amended to read as follows:

Delete existing subsection 25 and replace to read, as follows:

All dangerous and unsafe buildings or structures are hereby declared to be public nuisances, and shall be repaired, secured, demolished and/or vacated as provided by this article.

SECTION FOUR. Effective Date. This Ordinance, and the amendments to the Property Maintenance Code made by this Ordinance, shall be in full force and effect from and after its adoption and publication as required by law.

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

SECTION SIX. Conflicts. All ordinances and laws, or parts thereof that are in conflict with the provisions of this Ordinance, are hereby repealed.

The Presiding Officer called for the vote on the original ordinance as amended 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 original ordinance adopted as amended.

DEEM THE USE OF CERTAIN PROPERTY FOR AFFORDABLE HOUSING A PUBLIC PURPOSE AND AUTHORIZE THE DONATION OF CERTAIN PROPERTY TO THE CITY'S AFFORDABLE HOUSING PROGRAM FOR THE PURPOSE OF INCLUSION IN FEDERALLY FUNDED DEVELOPMENT THEREOF. The following ordinance, which was introduced and read at the regular meeting of Tuesday, July 24, 2018 and held over

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

ORDINANCE: 88-021-2018

Submitted by: Mayor Stimpson

AN ORDINANCE DEEMING THE USE OF CERTAIN PROPERTY FOR AFFORDABLE HOUSING A PUBLIC PURPOSE AND AUTHORIZING THE DONATION OF CERTAIN PROPERTY TO THE CITY'S AFFORDABLE HOUSING PROGRAM FOR THE PURPOSE OF INCLUSION IN FEDERALLY FUNDED DEVELOPMENT THEREOF

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the properties at 2648, 2652, 2656, 2660, 2664, 2659, and 2667 Weems Drive hereinafter described are not now needed for municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be transferred to the Community and Housing Development Department for inclusion in its HOME Program for redevelopment in a manner consistent with the City's match requirements:

Lot 1, of the Resubdivision of Siena Vista Court, according to the plat thereof recorded in Map Book 107, Page 4, of the records in the Office of the Judge of Probate Court, Mobile County, Alabama.

Lot 2, of the Resubdivision of Siena Vista Court, according to the plat thereof recorded in Map Book 107, Page 4, of the records in the Office of the Judge of Probate Court, Mobile County, Alabama.

Lot 3, of the Resubdivision of Siena Vista Court, according to the plat thereof recorded in Map Book 107, Page 4, of the records in the Office of the Judge of Probate Court, Mobile County, Alabama.

Lot 4, of the Resubdivision of Siena Vista Court, according to the plat thereof recorded in Map Book 107, Page 4, of the records in the Office of the Judge of Probate Court, Mobile County, Alabama.

Lot 5, of the Resubdivision of Siena Vista Court, according to the plat thereof recorded in Map Book 107, Page 4, of the records in the Office of the Judge of Probate Court, Mobile County, Alabama.

Lot 13, of the Resubdivision of Siena Vista Court, according to the plat thereof recorded in Map Book 107, Page 4, of the records in the Office of the Judge of Probate Court, Mobile County, Alabama.

Lot 11, of the Resubdivision of Siena Vista Court, according to the plat thereof recorded in Map Book 107, Page 4, of the records in the Office of the Judge of Probate Court, Mobile County, Alabama.

SECTION TWO: The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name, and on behalf of the City of Mobile, the Purchase Agreement when prepared for the properties shown above.

SECTION THREE: The Mayor and the City Clerk are also hereby authorized and directed to execute and attest, respectively, for and in the name, and on behalf of the City of Mobile, the Warranty Deeds when prepared for the properties shown above.

SECTION FOUR: Said Purchase Agreements and Warranty Deeds are by reference made a part of this ordinance as fully as if set forth herein, and a copy of such will be on

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file in the office of the City Clerk and in the office of the Real Estate Officer of the City of Mobile, 4th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

SECTION FIVE: This Ordinance shall be in full force and effect from 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. 88-021 Series 2018, was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on August 5, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand on this 27th day of July, 2018.

City Clerk

CIP RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH HARRIS CONTRACTING SERVICES, INC. FOR WEST REGIONAL LIBRARY-SERVER ROOM-HVAC & GENERATOR, \$207,582.00 (2018 CIP #2017-298, CITY-WIDE; LI-031-18; C0160). The following resolution, which was introduced and read at the regular meeting of Tuesday, July 24, 2018 and held over for one (1) week until the regular meeting of July 31, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-527-2018

Sponsored by: Councilmember Williams and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the 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: Harris Contracting Services, Inc.

Project name: West Regional Library - Server Room - HVAC & Generator

Project number: LI-031-18

Amount: \$207,582.00 (2018 CIP #2017-298, City-Wide)

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

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

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Nays: None

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

RESOLUTIONS HELD OVER:

AUTHORIZE LETTER OF INTENT WITH THE UNIVERSITY OF SOUTH ALABAMA TO FACILITATE THE CONSTRUCTION OF THE USA STADIUM PROJECT. The following resolution, which was introduced and read at the regular meeting of Tuesday, June 26, 2018 held over for until the regular meeting of July 10, 2018, then held over until the regular meeting of July 31, 2018, was called up by the Presiding Officer.

RESOLUTION: 01-444-2018

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 Letter of Intent by and between the City of Mobile and The University of South Alabama to facilitate the construction of the USA Stadium Project, as outlined in the Letter of Intent attached hereto and made a part hereof as though set forth in full. A copy of said Letter of Intent is on file in the office of the City Clerk.

LETTER OF INTENT

THIS LETTER OF INTENT (this "LOI") is entered into and effective as of 2018 (the "Effective Date") by and among the CITY OF MOBILE, ALABAMA, a municipal corporation of the State of Alabama (the "City") and the UNIVERSITY OF SOUTH ALABAMA, a public body corporate and an instrumentality of the State of Alabama ("USA"). The City and USA are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, USA wishes to build- a stadium with an anticipated seating capacity of 25,000 (the "Stadium") located on the USA campus in the City of Mobile, Alabama, with an anticipated cost of approximately Seventy Million Dollars (\$70,000,000) to Seventy-Five Million Dollars (\$75,000,000), to be funded by multiple revenue sources, including the issuance of bonds by USA (the "Bonds"), and pursuant to plans and specifications approved by the appropriate building authority (collectively, the "USA Stadium Project").

WHEREAS, the City desires to provide USA with Ten Million Dollars (\$10,000,000) as described in Article 1 of this LOI.

WHEREAS, the City has determined that it is in the City's best interest to provide an incentive in order to facilitate the construction of the USA Stadium Project and that the construction of the USA Stadium Project (i) will advance the economic development of the City, (ii) will promote the convenience, order, prosperity and welfare of its citizens, (iii) is a direct benefit to the City and its residents as a result of increased tax revenues to the City, increased property values and additional economic activity in the area of the City surrounding the USA Stadium Project, and (iv) allow for the renovation and repurposing of Ladd-Peebles Stadium to further meet the needs of the citizens of Mobile; and thus, is in the best interests of the City and serves a valid and sufficient public purpose.

WHEREAS, the City has determined that the construction of the USA Stadium Project will benefit the City and accordingly the City and USA wish to set forth the proposed general terms of their agreement with the intention of later executing Definitive Agreements which will elaborate on the terms and conditions of the agreements

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described herein, and be approved in properly noticed public meetings as prescribed and required.

TERMS

NOW, THEREFORE, in consideration of the premises and the mutual understandings herein, the Parties hereby state as follows:

ARTICLE 1

CITY'S RESPONSIBILITIES

Subject to the final approval by the Mobile City Council of the Definitive Agreements (as defined in Paragraph 5.1), the City's responsibilities will include the following:

1.1 Subject to final financing arrangements secured by USA, it is anticipated that the City will provide USA with \$500,000 per year for twenty (20) years, on or before April 1 each year, beginning the first April before USA's first payment on the Bonds that equals or exceeds \$1,000,000.00, to be applied to payment of the debt service of the Bonds for a total amount of Ten Million Dollars (\$10,000,000) for the USA Stadium Project (the "City Incentive"). The Parties agree that this provision may be revised to provide for biannual payments subject to USA's financing arrangements.

1.2 Adopt an Amendment 772 Resolution of the City approving the City Incentives.

1.3 Exercise reasonable diligence and good-faith efforts with respect to Paragraphs 1.1-1.2 above.

ARTICLE 2

[RESERVED]

ARTICLES

USA'S RESPONSIBILITIES

USA's responsibilities shall be the following:

3.1 Construct the USA Stadium Project pursuant to plans and specifications that will be reviewed in advance by the City and as subsequently approved by USA, and the appropriate building authority.

3.2 With the exception of the City Incentive (as defined below), raise all necessary capital to fund the USA Stadium Project.

3.3 To the extent allowed by law, defend the City from any claims, suits or proceedings (collectively, "Claims") challenging USA's funding, planning, and/or completion of the USA Stadium Project, and any acts or omissions of USA in its execution of the USA Stadium Project, provided that the City promptly notifies USA at such time as it is apprised of any such Claims and agrees to give sole and complete authority, information and assistance (at USA's expense) for the defense and disposition of one or more Claims. USA is not responsible for any compromise or settlement made without USA's consent. Because USA has exclusive control of resolving Claims hereunder, in no event is USA liable for the City's attorneys' fees or related expenses.

3.4 Provide the Stadium to the City rent free for the following, provided that they do not conflict with any USA football game:

(a) the athletic events currently known as the Reese's Senior Bowl, the Dollar General Bowl, and the Gulf Coast Challenge (collectively, the "Currently Held Events"), and any successor or re-named college football related event with similar characteristics to a Currently Held Event (i.e., a college football "all-star" game, a college football bowl

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game, or a college football game featuring two HBCU schools, respectively), whether such successor or re-named event replaces a Currently Held Event in the college football season immediately following the final holding of a Currently Held Event or in a later year. For purposes of this Section 3.4, if USA's football program is selected as a participant in the Dollar General Bowl or any successor or re-named event replacing the Dollar General Bowl, said event shall not be deemed to conflict with a USA football game; and

(b) any other event mutually agreed upon by USA and the City

(Paragraphs 3.4(a) - 3.4 (b) collectively "City Events").

The City shall have the right to use the Stadium, its related premises, improvements, buildings, structures, technology and Related Infrastructure (defined below) for City Events, including, but not limited to: food service establishments, retail establishments, parking facilities, club level facilities, screens, sound system, and signage, as the same are generally allowed for non-University users. Related infrastructure shall include all improvements that are designed, constructed, acquired, equipped, and operated either as part of, or in connection with, the USA Stadium Project ("Related Infrastructure"). USA will be entitled to recover the reasonable costs of all operation expenses incurred by USA for any City Event, including but not limited to utilities and security that are necessary and incurred by USA in support of the City Events. USA may charge reasonable fees for parking for City Events, at rates that are the same as other similar events at the Stadium, and will retain all revenue for concessions and parking for City Events at the Stadium. In their use of the Stadium and Related Infrastructure, the City shall comply with all federal and state laws, as well as any regulations of any other governing body, and the rules and regulations of USA,

3.5 Give the City the right, but not the obligation, to elect to use available suites, skyboxes, or club level seating at the Stadium for City Events, to the extent allowed by agreements with third parties governing the same, without charge. USA shall give the City notice of said right 30 days before each of the City Events, and such election by the City shall be communicated to USA at least 15 days prior to each of the City Events.

3.6 Give the City the right to use USA's covered practice facilities for teams participating in the Reese's Senior Bowl for the week prior to and the day of the Reese's Senior Bowl game.

3.7 Allow the City to post, hang, or otherwise display signs, banners, and other displays at the Stadium for City Events, so long as they do not alter or damage existing signs, displays, or the Stadium and further provided that they do not contain advertisements or indicate sponsorships which are in conflict with any exclusive agreements including sponsorships of the University.

3.8 Shall, in the construction of the USA Stadium Project, comply with all regulations, rules and ordinances of the appropriate building authority with respect thereto.

3.9 Use best efforts to ensure the construction of the USA Stadium Project will begin by August 1, 2018 ("Commencement of Construction") and be completed by August 1, 2020, recognizing that construction commencement is contingent upon the University securing all required financing, as determined solely by University, for the project.

3.10 Provide the City with \$2.5 million for the renovation and repurposing of Ladd-Peebles Stadium, a City owned facility. Said payment to the City will be made by USA upon the issuance of a Certificate of Occupancy for the USA Stadium Project. Said funds will be used by the City for the purposes stated herein within three (3) years of receipt thereof. After three (3) years of receipt of said funds, any unused funds must be repaid to USA.

3.11 Exercise reasonable diligence and good-faith efforts with respect to Paragraphs

3.1 -3.10 above.

ARTICLE 4

VALIDATION

4.1 The City may cause the obligations of the City under this LOI or the Definitive Agreement to be validated and confirmed by a judgment to be entered by the Circuit Court of Mobile County, Alabama, in accordance with Section 6-6-755 of the Code of Alabama 1975, or other applicable statutes or authority.

ARTICLES

GENERAL PROVISIONS

5.1 Non-Binding Provisions. Other than the covenants contained in this Article and Paragraph 3.3 of this LOI (the "Binding Paragraph", this LOI is not binding upon either the City or USA and is subject to (i) the negotiation and execution of definitive agreements regarding the USA Stadium Project, including without limitation, a Project Agreement between the City and USA (the "Definitive Agreements") and (ii) approval of the terms of this LOI, and the Definitive Agreements by the City Council of the City and USA's management. However, the covenants of the Binding Paragraph are binding upon the City and USA until the Parties execute the Definitive Agreements and the approvals described above are obtained. The Parties to this LOI understand and agree that (i) this LOI sets forth the Parties' current understanding of agreements, which may be set out in a binding fashion in the Definitive Agreements, which may be executed at a later date, (ii) this LOI does not create and is not intended to create a duty to negotiate in good faith towards Definitive Agreements, and (iii) this LOI does not create and is not intended to create a binding and enforceable contract between the Parties and may not be relied upon by either Party as the basis for a contract by estoppel or otherwise, but rather evidences a nonbinding expression of understanding to endeavor, without obligation, to negotiate the mutually agreeable Definitive Agreements. Moreover, except with respect to the Binding Paragraph, or as expressly provided in the Definitive Agreements, no past, present, or future action, course of conduct, or failure to act relating to the transactions contemplated by this LOI by any Party hereto or any of their respective affiliates will give rise to or serve as the basis for any obligation or other liability on the part of any such Party or any of its affiliates. In the event that the Parties are unable to execute Definitive Agreements by 5:00 p.m., CST, November 8, 2018, this LOI shall be deemed to be terminated (unless extended by mutual agreement), and none of the Parties shall have any further obligations or other liabilities arising under this LOI to the other, except that terms set forth in the Binding Paragraph shall survive the termination of this LOI.

5.2 Termination: Expiration. The Parties may terminate this LOI for any reason upon thirty (30) days written notice, and the Parties shall not have any further obligations to the other, except that the terms set forth in the Binding Paragraph shall survive such termination. Otherwise, the provisions of this LOI shall expire and be of no further force and effect at 5:00 p.m., CST on November 8, 2018.

5.3 Governing Law and Forum Selection. Regardless of the place of execution, it is the intention of the Parties that the laws of the State of Alabama shall govern the validity and interpretation of the provisions hereof and the transactions contemplated herein. Moreover, all actions arising from this LOI must be filed in the Circuit Court of Mobile County, Alabama, except as otherwise subject to the jurisdiction of the Alabama State Board of Adjustment.

5.4 Counterparts. This LOI may be executed by the Parties hereto by facsimile signature and in one or more counterparts, each of which shall be deemed an original and each of which shall constitute one and the same instrument.

5.5 Notices. All notices or other communications hereunder or making reference hereto shall be delivered as follows:

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To the City:

Mayor William S. Stimpson
City of Mobile
P.O. Box 1827
Mobile, Alabama 36633-1827
Attention: Paul Wesch
Telephone: (251) 208-7395

With a copy to:

Adams and Reese LLP
11 North Water Street, Suite 23200
Mobile, Alabama 36602
Attention: Britton Bonner

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be held over for three (2) weeks until the regular meeting of Tuesday, August 14, 2018, which was seconded by Councilmember Rich.

Council Vice President Manzie then assigned the matter to a Council task force. The task force will consist of Councilmember Richardson as the chair and Councilmembers Daves and Rich. Councilmember Richardson announced the Council task force will meet to discuss the matter at 2:00 p.m., Monday, August 6, 2018 in the Council's conference room. Mr. Manzie requested that the University of South Alabama have a representative, with the authority to make decisions, present at the task force meeting.

Councilmember Williams stated for the record:

"I am prepared to vote. I think that further delay is certainly within the authority of the Council, but I am ready to vote and I am opposed to a delay in this any further. These people have been coming down here every time we say it's on the agenda and I think we should say where we stand."

Following additional comments from Councilmembers Richardson, Manzie and Gregory 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 held over.

AUTHORIZE AGREEMENT WITH SMG AND ALABAMA POWER COMPANY FOR THE USE OF IDENTIFIED CITY OF MOBILE PREMISES FOR PURPOSES OF A STAGING AREA FOR PERSONNEL AND EQUIPMENT FOR REPAIRING STORM DAMAGE.
The following resolution, which was introduced and read at the regular meeting of Tuesday, July 24, 2018 and held over for one (1) week until the regular meeting of July 31, 2018, was called up by the Presiding Officer.

RESOLUTION: 01-532-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement between the City of Mobile, SMG, and Alabama Power Company for the use of identified City of Mobile premises for purposes of a staging area for personnel and equipment for repairing storm damage. A copy of said agreement is on file in the office of the City Clerk.

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

Ayes: Richardson, Manzie, 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 THE APPLICATION OF THEO G. ATKINSON D/B/A DOTS, SPOTS AND SCALES FISHING CHARTERS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE FOR A CHARTER FISHING BOAT SERVICE. The following resolution, which was introduced and read at the regular meeting of Tuesday, July 24, 2018 and held over for one (1) week until the regular meeting of July 31, 2018, was called up by the Presiding Officer.

RESOLUTION: 37-53-2018

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, pursuant to the provisions of Ordinance #59-073, 2005, that the application of Theo G. Atkinson d/b/a Dots, Spots and Scales Fishing Charters for a Certificate of Public Convenience and Necessity to operate a shuttle for a charter fishing boat service is hereby approved. A copy of said application is on file in the office of the City Clerk.

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

Ayes: Richardson, Manzie, 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:

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 was held over for one (1) week until the regular meeting of Tuesday, August 7, 2018.

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.

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

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 was held over for one (1) week until the regular meeting of Tuesday, August 7, 2018.

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.

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 31-534 through 60-548 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:

AUTHORIZE THE MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE DEPARTMENT OF JUSTICE, 2018 COPS OFFICE STOP SCHOOL VIOLENCE: SCHOOL VIOLENCE PREVENTION PROGRAM (SVPP) GRANT, \$542,495.92 (REQUIRED LOCAL MATCH PROVIDED BY MOBILE COUNTY PUBLIC SCHOOL SYSTEM, \$167,495.92). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 31-534-2018

Sponsored by: Mayor Stimpson

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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 Justice, Office of Community Oriented Policing Services (COPS Office), a Notice of Award and Memorandum of Agreement for grant assistance in the approximate amount of \$542,495.92 for the Department of Justice, 2018 COPS Office STOP School Violence: School Violence Prevention Program (SVPP).

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 Justice and any other federal agency.

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE FOR TEXAS DE BRAZIL, 3201 AIRPORT BOULEVARD, UNIT B3. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 37-535-2018

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: Restaurant Retail Liquor License

Submitted by: Texas De Brazil Mobile Corporation

Location: Texas De Brazil
3201 Airport Boulevard, Unit B3
Mobile, AL 36606

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE FOR FUEGO COASTAL MEXICAN EATERY, 2066 OLD SHELL ROAD. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 37-536-2018

Sponsored by: Councilmember Richardson

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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: Dimwold Enterprises, LLC

Location: Fuego Coastal Mexican Eatery
2066 Old Shell Road
Mobile, AL 36607

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

DECLARE THE STRUCTURE AT 1110 ADAMS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-537-2018

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 1110 ADAMS 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. 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 1110 ADAMS STREET as:

W 1/2 OF LOT 10 BLK 36 CAMP GROUND TRT MBK 1 P 12 #SEC 40T4S RIW #MP29
06 40 0 004

Parcel number: 29 06 40 0 004 376

Last assessed to: STATE OF ALABAMA

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

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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 Richardson moved that the resolution be adopted, which 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 resolution adopted.

DECLARE THE STRUCTURE AT 206 NORMAN STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-538-2018

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 206 Norman 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. 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 206 Norman Street as:

ALL THAT PT OF LOT 7 J J MCMAHON ADD DBK 128 P 7 MORE PARTIC DESC AS FOLL BEG At PT ON E/S OF NORMAN ST 165 FT 8 IN NLY FROM NE COR OF ST STEPHENS RD & NORMAN ST & RUN TH NLY ALG E/S OF NORMAN ST 40.8 FT TO NW COR OF SAID LOT 7 TH ELY ALG N/L OF LOT 7 A PIS OF 164.5 FT TO PT TH SLY ALG LINE OF FENCE 41.1 FT TO PT TH WLY ALG S/L OF LOT 7 PIS OF 170 FT TO POB LESS & EXC BEG AT NW COR OF LOT 8 J J MCMAHON ADD DBK 128 P 7 RUN TH NLY ALG E/L OF NORMAN ST 7 FT TO PT TH RUN S 64 DEG 11 MIN E 171.99 FT TO PT TH RUN S 7 DEG 21 MIN 30 SEC W 1.40 FT TO PT AT NE COR OF SAID LOT 8 RUN TH WLY ALG N/L OF SAID LOT 8 A PIS OF 169.40 FT TO POB #SEC 40 T4S RIW #VIP29 06 40 0 007

Parcel number: 29 06 40 0 0p7 216

Last assessed to: WASHINGTON JESSIE L & NOVELLA

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

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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 Richardson moved that the resolution be adopted, which 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 resolution adopted.

DECLARE THE STRUCTURE AT 402 PEACE LANE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-539-2018

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 402 PEACE LANE 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. 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 402 PEACE LANE as:

BEG AT SE COR LOT 3 KEBEY ESTS DBK 156 P 465 THEN RUN NLY 43 FT TH SWLY 51 FT (S) TH SLY 43 FT TH NWLY 51 FT (S1 TO POB #SEC 44 T4S RIW #MP29 02 44 0 003

Parcel number: 29 02 44 0 003 007

Last assessed to: RICHARDSON WILLIAM & HELEN

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

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

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Nays: None

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

DECLARE THE STRUCTURE AT 1104 GAYLE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-540-2018

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 accessory structure at 1104 GAYLE 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. 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 1104 GAYLE STREET as:

LOT 6 BLK BDED ON THE E BY GAYLE ST S BY EASTON ST N BY HEUSTIS ST & W BY O'DONNELL ST WHICH PLAT IS REC IN DBK 83 N S P 469 SD LOT 6 BEING ON W/S OF GAYLE ST & HAVING FRONT ON SAME OF 44 FT WITH SAME WIDTH IN REAR AS IN FRONT & HAVING DEPTH ON THE N/L OF SD LOT OF 106 FT 3 IN S & ON S/L OF 105 FT 4.5 IN ALSO KNOW AS LOT 6 TERRY S/D DBK 83/469

Parcel number: 29 10 37 0 007 280

Last assessed to: IRBY LLC

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 Richardson moved that the resolution be adopted, which 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 resolution adopted.

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DECLARE THE STRUCTURE AT 1109 LINCOLN AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-541-2018

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 1109 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. 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 1109 LINCOLN AVENUE as:

N 1/2 OF FOLLOWING DESC PPTY LOT 5 BLK 9 AMENDED PLAT OF LINCOLN PL #2 MBK 6 P 501 A/K/A LOT 4 BLK 9 LINCOLN PL #2 DBK 156 P 240 #SEC 44 T3S RIW #MP22 08 44 0 019

Parcel number: 22 08 44 0 019 091

Last assessed to: MIRACLE DELIVERANCE HOUSE OF PRAYER

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 Richardson moved that the resolution be adopted, which 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 resolution adopted.

DECLARE THE STRUCTURE AT 1305 BASIL STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-542-2018

Sponsored by: Councilmember Manzie

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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 1305 BASIL 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. 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 1305 BASIL STREET as:

LOT 14 SQR 33 CAMP GROUIMD TRT DBK 99 P 243 & BEING FUR DESC AS COMG AT PT PIS OF 120 FT W OF ANN ST RUN TH SLY & PAR WITH ANN ST 188 4/12 FT TH WLY & PAR WITH ADAMS ST 102 FT TH NLY & PAR WITH CUBA ST 176 4/12 FT TO BASIL ST TH ELY ALG S/L OF BASIL ST 45 FT TO POB BDED IM BY BASIL ST E BY LOTS 15,16.17 & 18 S BY LOTS 4.5 & 6 W BY LOT 13 #SEC 40 T4S RIW #MP29 06 40 0 007

Parcel number: 29 06 40 0 007 061

Last assessed to: Mount Tabor Missionary Baptist Church of Mobile, Inc.

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 Richardson moved that the resolution be adopted, which 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 resolution adopted.

DECLARE THE STRUCTURE AT 1324 CONGRESS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-543-2018

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 1324 CONGRESS STREET has been found by the Code

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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. 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 1324 CONGRESS STREET as:

THAT CERTAIN LOT OF LAND BDED BY LINE DESC AS FOIL COIVIG AT N/S OF CONGRESS ST AT SW COR OF LOT 17 BLK 29 CAMPGROUND TRT DBK 85 P 47 TH NLY ALG W/L OF SAID LOT 17 PIS OF 100 FT TO NW COR OF SAID LOT TH ELY ALG N/L OF SAID LOT A PIS OF 44 FT TO PT TH SLY IN STGT LINE TO N/L OF CONGRESS ST AT PT PIS OF 28 FT E OF POB TH WLY ALG N/L OF CONGRESS ST PIS OF 28 FT TO POB BEING PT LOT 17 BLK 29 CAMPGROUND TRT DBK 85 P 47 #SEC 40 T4S RIW #MP29 06 40 0 007

Parcel number: 29 06 40 0 007 129

Last assessed to: BLUNT DAVID L

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 Richardson moved that the resolution be adopted, which 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 resolution adopted.

DECLARE THE STRUCTURE AT 1109 ADAMS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-544-2018

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 1109 ADAMS 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;

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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. 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 1109 ADAMS STREET as:

LOT 11 BLK 25 CAMP GROUND TRT MBK 1 PG 12 #SEC 40 T4S RIW #IVIP29 06 40 0 004

Parcel number: 29 06 40 0 004 462

Last assessed to: OLOG INC A CORPORATION

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 11 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 Richardson moved that the resolution be adopted, which 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 resolution adopted.

DECLARE THE STRUCTURE AT 1355 HERCULES STREET AKA DALE AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-545-2018

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 1355 HERCULES STREET AKA DALE 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. 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; ,

MINUTES OF JULY 31, 2018

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1355 HERCULES STREET AKA DALE AVENUE as:

LOT 2 BLK O MARY E LOTT ADD TO FISHER TRT DBK 82 P 388 #SEC 13 T4S RIW #MP29 06 13 Q QQ3

Parcel Number: 29 06 13 0 003 277

Last assessed to: JONES NORRIS & SYNCERIA Y

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 Richardson moved that the resolution be adopted, which 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 resolution adopted.

ASSESS COST FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP # 18. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 58-546-2018

RESOLUTION ASSESSING THE COST OF REMOVAL OF NOXIOUS OR DANGEROUS WEEDS IN FRONT OF OR ON CERTAIN PARCELS OF LAND IN THE CITY OF MOBILE, ALABAMA

WHEREAS, an itemized report in writing has been made to the City Council of Mobile, showing the costs of removing noxious or dangerous weeds on or in front of the hereinafter described parcels of land, a copy of such report having first been posted on the Council Chamber door more than three days prior to the meeting at which the report was received, and the City Council having heard the report, together with any objections which may have been, raised by any of the property owners liable to be assessed for the work of cutting such weeds, and the City Council being of the opinion that such report in all respects be confirmed:

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL OF MOBILE as follows:

Section 1. The amount set opposite each described parcel of real property contained in exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as Repeat Weed Lien Group G-18 shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

MINUTES OF JULY 31, 2018

Section 2. it is directed that a copy of this resolution be delivered to the Tax Collector of the City of Mobile, and it shall be his duty to add the amounts of the above respective assessments to the next regular bills for ad valorem taxes levied against the said respective lots and parcels of land for municipal purposes, and such amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and same procedure on foreclosure and sale as in the case of delinquency as provided for ordinary ad valorem taxes.

		REPEAT WEED LIEN								
		GROUP 18			Res. No.					
1/25/2018		1st REPEAT WEED LIEN LETTERS SENT			11-058					
7/31/2018		REPEAT WEED LIEN LOTS TO BE ASSESSED FOR COST								
		Repeat	Old	Processed Last Complet	Amount Assessed	Dis	Prev Grp			
No.	Address/Parcel No.							Item	CBO	
1	2822 Diamond Dr	854082	728473	7/26/2016	\$ 193.21	1	1531	13		
2	0 Peach St Aka Pecan St Parcel No. (29 06 13 0 003 226.XXX)	854083	751798	4/25/2017	\$ 118.09	2	1542	2		
3	374 Dunbar St	854085	714536	5/16/2017	\$ 108.30	2	1524	5		
4	1955 Aka 1957 Butler St	854088	717992	5/31/2016	\$ 180.86	1	1526	4		
5	3162 Calais St	854090	718612	5/31/2016	\$ 188.89	1	1526	19		
6	1195 Edwards St	854091	730263	11/29/2016	\$ 259.23	2	1533	5		
7	564 Bizzell Ave	854093	771640	4/25/2017	\$ -	2	1546	22		
8	1412 Dr Martin Luther King Jr	854095	829413	8/15/217	\$ -	2	1562	6		
9	909 Cherry St	854097	782796	5/9/2017	\$ 117.09	2	1550	5		
10	367 Cassidy St	854098	791221	6/27/2017	\$ 138.09	2	1555	16		
11	355 Cassidy St	854101	809653	8/8/2017	\$ -	2	1561	12		
12	1056 Preston Ave	854102	656817	5/14/2015	\$ 161.40	3	1506	6		
13	1569 Limerick St	854103	776384	5/9/2017	\$ 142.74	2	1549	3		
14	1573 Limerick St	854104	776387	5/9/2017	\$ 312.05	2	1549	4		
15	1558 Limerick St	854107	750360	3/14/2017	\$ -	2	1541	10		
16	913 Jakes Ln	854109	726083	1/31/2017	\$ -	2	1530	1		
17	716 Shannon St	854111	820948	9/26/2017	\$ 223.73	5	1563	18		
18	505 Heritage Ct	854113	793864	7/18/2017	\$ 161.64	5	1557	3		
19	1102 Rotterdam St	854114	789106	5/30/2017	\$ 112.70	2	1553	5		
20	356 Gaston St	854115	735662	11/22/2016	\$ -	2	1535	10		
21	1855 Canal St	854116	681172	10/6/2015	\$ -	2	1514	8		
		Total			\$ 2,418.02					
District total for this group		Numbers of lots cut								
1	3	1	3							
2	15	2	8							
3	1	3	1							
4	0	4	0							
5	2	5	2							
6	0	6	0							
7	0	7	0							
	21		14							
*CBO Cut By Owner										
*N/A Taken out by Inspector		*UDL Undeveloped Lot								
*ADD Added in from other Groups										

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

ASSESS COST FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP #20. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 58-547-2018

RESOLUTION ASSESSING THE COST OF REMOVAL OF NOXIOUS OR DANGEROUS WEEDS IN FRONT OF OR ON CERTAIN PARCELS OF LAND IN THE CITY OF MOBILE, ALABAMA

WHEREAS, an itemized report in writing has been made to the City Council of Mobile, showing the costs of removing noxious or dangerous weeds on or in front of the hereinafter described parcels of land, a copy of such report having first been posted on the Council Chamber door more than three days prior to the meeting at which the report was received, and the City Council having heard the report, together with any objections

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which may have been raised by any of the property owners liable to be assessed for the work of cutting such weeds, and the City Council being of the opinion that such report in all respects be confirmed:

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL OF MOBILE as follows:

Section 1. The amount set opposite each described parcel of real property contained in exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as Repeat Weed Lien Group G-20 shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

Section 2. It is directed that a copy of this resolution be delivered to the Tax Collector of the City of Mobile, and it shall be his duty to add the amounts of the above respective assessments to the next regular bills for ad valorem taxes levied against the said respective lots and parcels of land for municipal purposes, and such amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and same procedure on foreclosure and sale as in the case of delinquency as provided for ordinary ad valorem taxes.

		REPEAT WEED LIEN				
		GROUP 20				Res. No.
5/2/2018		1st REPEAT WEED LIEN LETTERS SENT				11-058
7/31/2018		REPEAT WEED LIEN LOTS TO BE ASSESSED FOR COST				
			SRO	Initial	Times	Amount
Item		Dis	Repeat	Nuisance	cut within	Assessed
No.	Address/Parcel No.		Num	Declaration	36 months	
1	603 Golden Ave	1	862417	1/26/2016	2	\$ 167.96
2	2056 Gen Gorgas Dr	1	862418	7/15/2017	2	\$ 638.20
3	2108 Hamilton Rd	1	862419	5/30/2017	1	\$ -
4	2112 Hamilton Rd	1	862422	4/19/2016	1	\$ -
5	2165 Barbara Dr	1	862423	9/6/2016	1	\$ -
6	603 Patton Ave	2	862425	12/15/2015	1	\$ 118.41
7	2163 Robinson Dr	5	865377	1/26/2016	1	\$ 195.48
8	305 Carstens St	2	866350	4/18/2017	2	\$ -
9	0 Carver Ave	1	867916	7/25/2017	1	\$ 245.18
	Parcel No. (29 02 44 0 009 511.XXX)					
10	61 Mohawk St	1	867918	7/25/2017	1	\$ -
11	1051 Toulmin Ct	1	867920	8/9/2016	1	\$ 229.16
12	664 Burden St	1	867921	7/7/2015	2	\$ 1,006.39
13	2018 Tucker St	1	869547	12/5/2017	1	\$ -
14	360 Chin St	2	869548	6/23/2015	2	\$ 128.94
15	2450 Dog River Dr	4	869550	4/14/2015	1	\$ 206.40
16	1553 Orange St	2	869552	8/15/2017	1	\$ 165.50
17	1115 Houston St	2	869555	10/25/2016	2	\$ 174.34
18	607 Youngs Aly	2	869558	8/15/2017	1	\$ 72.65
19	609 Youngs Aly	2	869560	4/15/2016	2	\$ 70.66
20	611 Youngs Aly	2	869561	4/5/2016	2	\$ -
21	374 Cohron St	1	869563	5/30/2017	1	\$ 160.50
		Total				\$ 3,579.77
District total for this group		Numbers of lots cut				
1	11		1	6		
2	8		2	6		
3	0		3	0		
4	1		4	1		
5	1		5	1		
6	0		6	0		
7	0		7	0		
	21			14		
*CBO Cut By Owner						
*N/A Taken out by Inspector		*UDL Undeveloped Lot				
*ADD Added in from other Groups						

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

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APPROVE AWARD OF SPECIAL BONUS TO MARY KILPATRICK THROUGH THE CITY OF MOBILE'S EMPLOYEE RECOGNITION PROGRAM, \$500.00. The following resolution was introduced by Councilmember Richardson.

REOSLUTION: 60-548-2018

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 through the City of Mobile's Employee Recognition Program, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500.00 each to the employees on the attached list.

These Employees are to be commended for their exemplary work performance or innovations that significantly reduce costs or result in outstanding improvements in services to the public.

Awardees:

Mary Kilpatrick

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

CIP RESOLUTIONS BEING INTRODUCED:

APPROVE UTILIZATION OF THE CAPITAL PROJECT PRIORITIZATION PROCESS FOR THE DURATION OF ITS 5-YEAR CAPITAL IMPROVEMENT PROGRAM. The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 7, 2018.

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, 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 (3) year CIP to continue the purposeful analysis of the City's capital needs, focusing on streets, sidewalks, parks, storm water management drainage structures, and other City improvements used by and for the benefit of the public; and,

WHEREAS the City staff and Program Management Team worked to identify, evaluate, scope, estimate, prioritize, and package hundreds of individual projects and activities into six core programs of work, focused on parks, stormwater & drainage, streets, sidewalks, street lighting, and traffic; and,

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WHEREAS the City Council 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, and,

WHEREAS, utilizing said process the City staff and Program Management Team continued to use the infrastructure priorities that were validated by the City Council during the three (3) year CIP, rating the projects against the infrastructure priorities in order to produce a ranked listing of projects across all seven districts; and,

WHEREAS, the infrastructure priorities evolved during the three (3) year CIP to include: project complexity; opportunity to leverage additional funding; current conditions; and community benefit; and,

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

WHEREAS the CIP Council Committee and individual City Council members determined to continue to develop and prioritize projects through the Capital Project Prioritization program for the remaining 4 years of the 5 year Capital Improvement Plan to maximize the efficient and timely execution of CIP projects;

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.

APPROVE FISCAL YEAR 2018-2019 (2019) CAPITAL IMPROVEMENT PLAN (YEAR 1 OF 5-YEAR PLAN). The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 7, 2018.

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,

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.

RESOLUTIONS BEING INTRODUCED:

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 was held over for one (1) week until the regular meeting of Tuesday, August 7, 2018.

RESOLUTION: 21-551-2018

Sponsored by: Mayor Stimpson

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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.

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 was held over for one (1) week until the regular meeting of Tuesday, August 7, 2018.

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.

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)

ANNOUNCEMENTS:

None.

Councilmember Manzie moved to adjourn the meeting, 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 regular meeting adjourned at approximately 12:13 p.m.

Approved: August 7, 2018

COUNCIL VICE PRESIDENT

CITY CLERK