MUNICIPAL BUILDING, MOBILE, ALABAMA, JULY 30, 2019

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 30, 2019, at 9:00 a.m.

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

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

The Presiding Officer adjourned the meeting.

Approved: August 6, 2019

_____
COUNCIL VICE PRESIDENT

_____
CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, JULY 30, 2019

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, July 30, 2019, at 10:30 a.m., in regular meeting.

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

Reverend Patricia King, Associate Minister of Pilgrim Rest AME Zion Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

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

APPROVAL OF MINUTES:

The minutes of the meeting July 23, 2019 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson named Zachary Foerster as "Firefighter of the Month" for July 2019.

Mayor Stimpson provided an update on proposals for the re-purposing of the Civic Center.

Mayor Stimpson presented a proclamation to the Independent Living Center to commemorate the 29th anniversary of the signing of the Americans with Disabilities Act.

PRESENTATIONS BY THE COUNCIL:

Councilmember Gregory presented a proclamation declaring August 4-10, 2019 as "National Health Center Week" in Mobile.

ADOPTION OF THE AGENDA:

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

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

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

APPEALS:

The Council considered the appeal of Wilbert Casher, Casher's Wrecker Service, concerning the decision of the Mobile Police Department to suspend his company from the MPD wrecker rotation list.

Chase Dearman, attorney for the appellant, provided remarks in support of the appeal.

Wanda Rahman, attorney for the Mobile Police Department, provided information in opposition of the appeal.

Councilmember Daves moved to deny the appeal, which motion was seconded by Councilmember Rich and the vote was as follows:

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

The vote was then announced by City Clerk, whereupon the Presiding Officer declared the appeal denied.

NOTE: At approximately 10:50 a.m. Councilmember Small excused himself from the meeting.

The Council considered the request of Antonio D. Dale, 3450 Dog River Road, for a waiver of the Noise Ordinance on August 3, 2019 from 6:00 p.m. until 10:00 p.m. (District 4).

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

The Council considered the request of Mary McAleer, 911 Dauphin Street, for a waiver of the Noise Ordinance on December 14, 2019 from 6:00 p.m. until 11:00 p.m. (District 2).

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

PUBLIC HEARINGS:

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1313 JESSIE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1313 Jessie Street 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 at a later date.

NOTE: At approximately 10:53 a.m. Councilmember Small rejoined the meeting.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 164 HEMLEY AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 164 Hemley Avenue 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 at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 374 DUNBAR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 374 Dunbar Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Paul Moore, 374 Dunbar Street, requested additional time to repair the property.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1759 WATERFORD STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1759 Waterford Street 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 at a later date.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

None.

NON-AGENDA ITEMS:

1. The following people spoke regarding the Independent Living Center and the 29th anniversary of the Americans with Disabilities Act:

a. Ted Alvis, Independent Living Center, 5301 Moffett Road
b. Sister Lucindia Claghorn, Advisory Commission on the Disabled, 351 Conti Street

2. The following people spoke on behalf of the Via Health, Fitness and Enrichment Center:

a. Darlene Clark, 3062 Cedar Crescent Drive
b. Vernon Coleman 553 Rickarby Street
c. Robert Byrne, 2523 Oak View Drive

NOTE: At approximately 11:25 a.m. Councilmember Williams excused himself from the meeting.

3. Joseph Jones, 1464 St. Stephens Road, aka 1500 St. Stephens Road, voiced concerns regarding his property.

4. Carol Hunter, Downtown Mobile Alliance, 261 Dauphin Street, thanked the Council, on behalf of the Higginbotham family, for renaming Municipal Archives as the "Jay Higginbotham Mobile Municipal Archives."

ORDINANCES HELD OVER:

REZONE PROPERTY LOCATED AT 1160 AND 1200 SPRING HILL AVENUE (NORTH SIDE OF SPRING HILL AVENUE, 90± WEST OF KENNEDY STREET) FROM B-3 AND R-2 TO B-3 (DISTRICT 2). The following ordinance, which was introduced and read at the regular meeting of Tuesday, July 23, 2019 and held over for one (1) week until the regular meeting of July 30, 2019, was called up by the Presiding Officer.

ORDINANCE: 64-029-2019

Sponsored by: Councilmember Manzie

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

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

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

COMMENCING AT THE NORTHWEST CORNER OF KENNEDY STREET AND SPRINGHILL AVENUE, THENCE NORTH 72°-00'-00" WEST ALONG THE NORTH LINE OF SPRINGHILL AVENUE 90.00 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED: THENCE CONTINUE NORTH 72°-00'-00" WEST ALONG THE NORTH LINE OF SPRINGHILL AVENUE 331.37 FEET TO THE EAST LINE OF SWISS SUBDIVISION AS RECORDED IN MAP BOOK 89 PAGE 74 PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE NORTH 06°-16'-51" EAST ALONG SAID WEST LINE 246.50 FEET TO THE NORTHEAST CORNER; THENCE NORTH 72°-13'-16" WEST 125.00 FEET TO THE NORTHWEST CORNER OF SAID SWISS SUBDIVISION; THENCE NORTH 07°-35'-03" EAST 259.71 FEET TO A CORNER OF REAL PROPERTY BOOK 2517 PAGE 916 OF THE AFORESAID RECORDS; THENCE SOUTH 71°-47'-40" EAST 253.68 FEET; THENCE SOUTH 06°-37'-10" WEST 272.89 FEET; THENCE SOUTH 84°-23'-00" EAST 113.60 FEET; THENCE SOUTH 09°-54'-02" WEST 104.64 FEET; THENCE SOUTH 72°-31'-31" EAST 109.86 FEET; THENCE SOUTH 14°-03'-30" WEST 150.00 FEET TO THE POINT OF BEGINNING.

The classification of said property is hereby changed from B-3, Community Business District, and R-2, Two-Family Residence District, to B-3, Community Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in a B-3, Community Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with3 the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-3, Community Business District, until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and 2) full compliance with all municipal codes and ordinances.

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

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. 64-029 Series 2019 was published in the Press-Register, a newspaper of general circulation in the City and County of Mobile, Alabama, on August 7, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand on this 30th day of July, 2019.

City Clerk

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

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

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

RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH JOHN G. WALTON CONSTRUCTION CO., INC. FOR TIGER 2016 PROJECT PHASE ONE-TWO, BROAD STREET FROM CANAL STREET TO DR. MLK, JR. AVENUE AND BEAUREGARD STREET FROM DR. MLK, JR. AVENUE TO LAWRENCE STREET, $16,951,777.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, July 23, 2019 and held over for one (1) week until the regular meeting of July 30, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-693-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

contract and furnishing the required bonds and insurance. A copy of said executed contract will be on file in the office of the City Clerk.

Company name:	John G. Walton Construction Co., Inc.
Project name:	TIGER 2016 Project Phase One-Two Broad Street (US-90) from Canal Street to Dr. Martin Luther King Jr. Avenue and Beauregard Street (SR-16) from Dr. Martin Luther King Jr. Avenue to Lawrence Street
COM project no.:	2018-3005-01
Estimated cost:	$16,951,777.00

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

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

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

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

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 08-694 – 58-706, being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

APPROVE REQUISITIONS OVER $7,500.00 FOR THE WEEK OF JULY 22, 2019. The following resolution was introduced by Councilmember Rich.

RESOLUTION:	08-694-2019
Sponsored by:	Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, purchase orders to the indicated vendors in the approximate amounts stated, and to approve the supporting bid awards, for the following requisitions as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
15120	2019	(2050) EQUIPMENT SERVICES	PRE ORDER 4TH PRECINCT UNLEADED FUEL (SEALED BID 5216))	$16,764.00	(42474) DAVISON OIL COMPANY INC
15117	2019	(2050) EQUIPMENT SERVICES	PRE ORDER 4TH PRECINCT UNLEADED FUEL (SEALED BID 5216)	$16,764.00	(42474) DAVISON OIL COMPANY INC
15114	2019	(2050) EQUIPMENT SERVICES	PRE ORDER MOTOR POOL UNLEADED FUEL (SEALED BID 5216)	$16,764.00	(42474) DAVISON OIL COMPANY INC
15111	2019	(2050) EQUIPMENT SERVICES	PRE ORDER MOTOR POOL UNLEADED FUEL (SEALED BID 5216)	$16,764.00	(42474) DAVISON OIL COMPANY INC
15110	2019	(2050) EQUIPMENT SERVICES	PRE ORDER GARAGE DIESEL FUEL (AL STATE CONTRACT)	$16,006.00	(279229) PETROLEUM TRADERS CORPORATION
15109	2019	(2050) EQUIPMENT SERVICES	PRE ORDER GARAGE DIESEL FUEL (AL STATE CONTRACT)	$16,006.00	(279229) PETROLEUM TRADERS CORPORATION
15107	2019	(2050) EQUIPMENT SERVICES	PRE ORDER GARAGE UNLEADED FUEL (SEALED BID 5216)	$16,764.00	(42474) DAVISON OIL COMPANY INC
15103	2019	(2050) EQUIPMENT SERVICES	PRE ORDER GARAGE UNLEADED FUEL (SEALED BID 5216)	$16,764.00	(42474) DAVISON OIL COMPANY INC
15056	2019	(F6060) WAVE TRANSIT SYSTEM	PRE-ORDER DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	$16,459.00	(279229) PETROLEUM TRADERS CORPORATION
14960	2019	(2012) PARKS MAINTENANCE	F250 CREW CAB PICKUP (SEALED BID 5200)	$112,762.00	(270013) AUTONATION FORD MOBILE
14871	2019	(1530) POLICE ADMIN SERVICES	RAINCOATS/PROPERTY (SEALED BID 5280)	$10,893.60	
14542	2019	(2050) EQUIPMENT SERVICES	REPLACE ENGINE - ASSET #49580 2008 INTERNATIONAL GARBAGE TRUCK (PRICE QUOTE – WARRANTY)	$10,230.93	(232872) WARD INTERNATIONAL TRUCKS LLC
13374	2019	(1530) POLICE ADMIN SERVICES	I/MOBILE/COMMUNICATIONS MAINTENANCE RENEWAL (SEALED BID 4487 -SOLE SOURCE)	$23,814.00	(280258) INTERGRAPH CORPORATION (AL SOS 728-920)
10239	2019	(F7000) MOTOR POOL	ELGIN BROOM BEAR STREET SWEEPER/FREIGHTLINER M2 CHASSIS (SEALED BID 5297)	$295,000.00	(190715) SANSOM EQUIPMENT CO INC

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

Ayes: Richardson, Manzie, Small, 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 1313 JESSIE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-695-2019

Sponsored by: Councilmember Richardson

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 1313 JESSIE STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1313 JESSIE STREET as:

LOTS 17 & 18 BLK 3 WIECHEM & SAGE 2ND SUB OF LAFARGUE PL DBK 121 PG 511 #SEC 44 T4S R1W #MP29 02 44 0 013

Parcel number: 29 02 44 0 013 216

Last assessed to: LAWSON JEROME

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

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

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

DECLARE THE STRUCTURE AT 164 HEMLEY AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-696-2019

Sponsored by: Councilmember Richardson

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 164 HEMLEY AVENUE has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A, No. 4, 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 164 HEMLEY AVENUE as:

LOTS 256 & 257 HAAS PLAGE DBK 153 P 266 #SEC 18 T4S R1W#IVIP29 08 18 1 004

Parcel number: 29 08 18 1 004 009

Last assessed to: BERNARD I. JACKSON AND LASHUNDRA YATES JACKSON C/O ZAYED WIAJD AL TAWEEL

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

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

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

DECLARE THE STRUCTURE AT 374 DUNBAR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-697-2019

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 374 DUNBAR STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A, No. 4, 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 374 DUNBAR STREET as:

LOT 22 BLK 1 CARVER COURT MBK 4 P 239 #SEC 25 T4S R1W MP2B 07 25 0 003

Parcel number: 29 07 25 0 003 154

Last assessed to: MOORE LESLIE & FLORA MAE C/O
TRACEY GAIL MOORE

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

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

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be held over for 90 days until the regular meeting of Tuesday, October 29, 2019, which was seconded by Councilmember Richardson and the vote was as follows:

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

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

DECLARE THE STRUCTURE AT 1759 WATERFORD STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-698-2019

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 1759 WATERFORD STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1759 WATERFORD STREET as:

LOT 1 IN BLK 9 OF TOULMIN TRT DBK 112 NS PG 175 SD PPTY BEING LOCATED ON SE COR OF WATERFORD & AMSTERDAM STREETS HAVING A FRONT OF 56 FT ON WATERFORD ST BY A DEPTH OF 136 FT ON AMSTERDAM ST HAVING THE SAME WIDTH IN REAR AS IN FRONT BEING THE SAME PPTY CONVEYED TO CELESTE MALONE BY DEED REG IN DBK 139 NS PG 485 #SEC 28 T4S R1W #MP29 10 28 4 002

Parcel number: 29 10 28 4 002 036

Last assessed to: MURPHY BARBARA

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

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

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTER OF THE MONTH FOR JULY 2019, ZACHARY FOERSTER. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 60-699-2019

Sponsored by: Mayor Stimpson

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

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

Firefighter of the Month

Last Name	First Name	Award	Date
Foerster	Zachary	Firefighter of the Month	Jul-19

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

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

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

APPROVE STIPEND FOR CAPTAIN WILLIAM REED TO ATTEND THE SOUTHERN POLICE INSTITUTE ADMINISTRATIVE OFFICERS COURSE FROM AUGUST 12-NOVEMBER 8, 2019, $5,000.00 (10041530-42200). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 60-700-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that a stipend is approved for Captain William Reed of the Mobile Police in the amount of $5,000.00 for expenses while attending the Southern Police Institute's 142nd Administrative Officers Course, August 12 - November 8, 2019, in Louisville, Kentucky.

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

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

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

RENAME THE MUNICIPAL ARCHIVES COLLECTION AT 457 CHURCH STREET AS THE "JAY HIGGINBOTHAM MOBILE MUNICIPAL ARCHIVES." The following resolution was introduced by Councilmember Rich.

RESOLUTION: 46-705-2019

Sponsored by: Councilmembers Richardson, Manzie, Small, Daves, Rich and Gregory

WHEREAS, Jay Higginbotham moved to Mobile in 1962, after studying in New York City, Washington, D.C., Europe, the Middle East and the Soviet Union. After teaching in the public school system, he joined the Mobile Public Library, eventually becoming the head of the Local History Division before being tapped to establish the Mobile Municipal Archives In 1983. He served as director of the Archives until he retired in 2001; and,

WHEREAS, Mr. Higginbotham was one of the foremost authorities on the history of the Gulf Coast, writing academic and popular histories of the region, including the award-winning Old Mobile. His later works included Brother Holyfield, and the memoir Fast Train Russia, which detailed his journey on the Trans-Siberian Railway in 1963; and,

WHEREAS, Mr. Higginbotham was a mainstay of Mobile's literary scene, helping establish the Mobile Association of Sages and Savants, which brought notables such as poet Allen Ginsberg to the city for readings; and

WHEREAS, Mr. Higginbotham helped establish the Sister City program in Mobile and later started the Society Mobile-L'Habana, which sponsored cultural exchanges between the cities.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE MOBILE CITY COUNCIL that the Municipal Archives collection, housed at 457 Church Street, will be renamed the Jay Higginbotham Mobile Municipal Archives.

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

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

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

AUTHORIZE REMOVAL OF WEEDS, GROUP #1594. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 58-706-2019

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

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

WHEREAS, Parcels Nos. 1 through 21 described in the resolution adopted on the 25th day of June, 2019, have not been cleared of noxious and dangerous weeds and continue to be public nuisances.

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

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

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

Parcels of real property located in the City of Mobile and more particularly described as Parcels Nos. 1 through 21, as described In the resolution adopted on the 25th day of June, 2019, and entitled: "A RESOLUTION DECLARING WEEDS GROWING UPON THE STREETS OR SIDEWALKS AND UPON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY" OF MOBILE TO BE NOXIOUS OR DANGEROUS AND TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES."

(Lot Cleaning Liens, Group No. 1594, on file in the office of the City Clerk).

SECTION 2. The employees of the City of Mobile assigned to the work required by this resolution are hereby expressly authorized to enter upon such described pieces of property for the purpose of removing the weeds authorized by this resolution to be removed. The owner of any of the above described pieces of property shall have the right to remove the weeds ordered by this resolution to be removed from this property provided such removal is done prior to the arrival of the employees of the City of Mobile against his property by reason of any action taken hereunder. An accurate account of

the costs with respect to each piece of property shall be kept by the employees of the City of Mobile covering the costs of removing such weeds In front of or in front of or on each separate lot or parcel of land where the work is done by the City of Mobile or its employees, and promptly thereafter an itemized report in writing shall be made to the City Council showing such costs with respect to each separate lot or parcel of land but before the report is submitted to the City Council a copy of the itemized costs with respect to each such lot or parcel of land shall be posted for at least three days prior to such report on the door of the Council Chamber at the City Hall of Mobile, Alabama, together with a notice of the time when the report will be submitted to the City Council for confirmation.

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

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

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

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

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 13-701 and 21-702, being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CIP RESOLUTIONS BEING INTRODUCED:

APPROVE CHANGE ORDER #1 TO THE CONTRACT WITH FRANK TURNER CONSTRUCTION, INC. FOR FLORIDA STREET AND DOHM STREET DRAINAGE IMPROVEMENTS, $602,488.80. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 13-701-2019

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, Change Order No. 1 to the contract, by and between the City of Mobile and the company listed below, for work as outlined In the Change Order attached hereto and made a part hereof as set forth in full, subject to the company signing the Change Order. A copy of said executed Change Order will be on file in the office of the City Clerk.

Name of company: Frank Turner Construction Co., Inc.

Project name: Florida Street and Dohm Street Area 2016 Drainage Improvements

City of Mobile project no.: 2016-202-02
Change Order No. 1

Estimated cost: $602,488.40 (Add)

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

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

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

AUTHORIZE CONTRACT WITH GOODWYN, MILLS & CAWOOD, INC. FOR STOTTS PARK-EROSION AND GRADING IMPROVEMENTS-ADEM NPDES PERMITTING SERVICES, $13,942.00 (2018 CIP #2017-286, D4). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-702-2019

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: Goodwyn, Mills & Cawood, Inc.

Project name: Stotts Park - Erosion and Grading Improvements
ADEM NPDES Permitting Services

Project number: PR-019-18

Amount: $13,942.00 (2018 CIP #2017-286, D4)

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

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

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

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH OSPREY INITIATIVE, LLC FOR FLOATABLE LITTER REMOVAL-DOG RIVER, ONE MILE CREEK & THREE MILE CREEK, $52,000.00. The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 6, 2019.

RESOLUTION: 21-703-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Osprey Initiative, LLC, for a four-month period, and renewable without further Council approval for three additional four-month periods, in a total amount not to exceed $52,000, for litter removal services on the Dog River, One Mile Creek, and Three Mile

Creek, attached hereto and made a part hereof as though set forth in full, and to approve the supporting bid award. A copy of said contract is on file in the Office of the City Clerk.

AUTHORIZE CONTRACT WITH MOBILE ASPHALT COMPANY, LLC FOR 2018 GROUP A PAYGO, $4,142,212.73 (D1, 2, 4, 5 & 6). The following resolution was held over for one (1) week until the regular meeting of Tuesday, August 6, 2019.

RESOLUTION: 21-704-2019

Sponsored by: Councilmembers Richardson, Manzie, Williams, Daves, Rich and Mayor Stimpson

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

Name of company: Mobile Asphalt Company, LLC

Project name: 2018 Group A PAYGO (01, 2, 4, 5 & 6)
COM Project No. 2019-3005-17

Estimated cost: $4,142,212.73

ANNOUNCEMENTS:

Councilmember Daves announced a Council ad hoc committee will meet on Tuesday, August 6, 2019, at 1:00 p.m., to discuss the disposition of City owned property.

Councilmember Small invited the public to attend the annual Back to School Bash at the Pleasant Valley Shopping Center on Sunday, August 4, 2019, 3:00 – 5:00 p.m.

Councilmember Rich thanked everyone who attended the Public Services Committee meeting and announced the committee will also meet at 2:00 p.m. on Tuesday, August 6, 2019, to discuss utility company access and damages to rights-of-way.

NOTE: At approximately 12:06 p.m. Councilmember Small excused himself from the meeting.

Councilmember Gregory gave an update on the Springhill Avenue drainage project.

NOTE: At approximately 12:08 p.m. Councilmember Daves excused himself from the meeting.

Councilmember Gregory provided an overview of improvements planned for Langan Park.

Councilmember Richardson stated that installation of the new fountain at Tricentennial Park began yesterday.

Councilmember Manzie reminded district two residents that a community meeting will be held at 6:00 p.m. tonight at Via.

George Talbot congratulated Councilmember Manzie on winning the Nappie Award for “Hardest Working Elected Official.”

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

Ayes: Richardson, Manzie, 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 6, 2019

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COUNCIL VICE PRESIDENT

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CITY CLERK