MUNICIPAL BUILDING, MOBILE, ALABAMA, JANUARY 17, 2023

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, January 17, 2023, at 9:00 a.m.

Councilmembers:

Present: Penn, Carroll, Small, Reynolds, Daves, and Jones
Absent:

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

Approved:

____
COUNCIL PRESIDENT

____
CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, JANUARY 17, 2023

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, January 17, 2023, at 10:30 a.m., for the regular meeting.

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

Elder Yolanda Purifoy, Christ Temple Apostolic Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Small
Councilmembers: Penn, Carroll, Reynolds, Daves, Jones, and Gregory
Absent:

STATEMENT OF RULES BY PRESIDING OFFICER

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

COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson stated the lighting of the Mardi Gras Tree last Saturday was a great success.

Mayor Stimpson informed the public that a new 2023 Mardi Gras dashboard is now on the City's website containing all information pertaining to Mardi Gras.

Mayor Stimpson mentioned that citizens can pick up free mulch from Langan Park starting on January 17, 2023, until January 22, 2023.

Mayor Stimpson read a proclamation declaring January 2023 as "Blood Donor Month" in Mobile.

Mayor Stimpson read a proclamation declaring January 2023 as "National Mentoring Month" in Mobile.

Paul Prine, Chief of the Mobile Police Department, presented Jayvien Banks as Officer of the Month for December 2022.

Jeremy Lami, Chief of Mobile Fire & Rescue, presented Paula Trimmier as Firefighter of the Month for December 2022.

ADOPTION OF THE AGENDA:

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

APPEALS

Request Betty Holifield for a waiver of the Noise Ordinance at 2418 St. Stephens Road on January 28, 2023, from 2:00 p.m. – 10:00 p.m. (District 1).

Councilmember Penn moved to grant the waiver, which motion was seconded by Councilmember Gregory.

Councilmember Penn moved to amend the end time of the waiver from 10:00 p.m. to 9:00 p.m., which motion was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

The Presiding Officer then called for the vote on the original motion, as amended, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

Request of Mobile Arts and Sports Association for a waiver of the Noise Ordinance at Mardi Gras Park on February 3, 2023, from 5:30 p.m. – 10:30 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

Request of Margaret Lenzee Grant for a waiver of the Noise Ordinance at 1413 Church Street on October 21, 2023, from 2:00 p.m. – 10:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory

Nays: None

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

Request of March for Life Mobile for a waiver of the Noise Ordinance at Cathedral Square on January 27, 2023, from 8:30 a.m. – 12:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

Request of Johnnie Robinson for a waiver of the Noise Ordinance at 4791 Lesure Road on February 17-18, 2023, from 6:00 p.m. – 2:00 a.m. (District 4).

Councilmember Daves moved to grant the waiver, which motion was seconded by Councilmember Small.

Councilmember Reynolds moved to amend the end time of the waiver from 2:00 a.m. to 12:00 a.m., which motion was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

The Presiding Officer then called for the vote on the original motion, as amended, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the waiver granted until 12:00 a.m.

Request of Mobile Alumni Chapter of Delta Sigma Theta for a waiver of the Noise Ordinance at Medal of Honor Park on April 22, 2023, from 7:00 a.m. – 2:00 p.m. (District 6).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 FIX THE COSTS FOR DEMOLITION OF THE STRUCTURE AT 1864 LUCKIE AVENUE; $3,650.00 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to fix the costs for the demolition of the structure at 1864 Luckie Avenue 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 FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1405 CONGRESS STREET; $3,200.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 1405 Congress Street 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 FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1415 ESLAVA STREET; $6,450.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 1415 Eslava Street 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 FIX COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 2118 BARRON PLACE; $3,150.00. (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 2118 Barron Place 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 FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1110 GIMON CIRCLE WEST; $5,000.00. (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 1110 Gimon Circle West 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 FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 2017 MARIANN DRIVE; $6,700.00. (DISTRICT 6).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 2017 Mariann Drive 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:

Bruce McGowin, a representative from the Alabama State Port Authority, offered comments on ordinance 64-066.

NON-AGENDA ITEMS:

Beverly Cooper, 1208 Palmetto Street, offered comments about annexation and transparency with the PFM contract.

Reggie Hill, 1007 Center Street, spoke about citizen requests, council rules, ARP funds, and annexation.

Michael Lyons, 306 Chidester Avenue, voiced his displeasure about the noise levels during Mardi Gras.

Monique Chastang-Whigham, 11105 Long Road, Axis, AL, expressed concerns about safety in Mobile in regard to the New Year’s Eve shooting.

Kendell Young, 3113 Dogwood Drive, shared information about the upcoming events for Housing First.

ORDINANCES HELD OVER

REZONE PROPERTY LOCATED AT 1263 BAKER STREET, FROM R-2 AND I-2 TO I-2. The following ordinance which was read and introduced at the regular meeting of November 22, 2022, and held over until the regular meetings of November 29, 2022, December 6, 2022, and January 17, 2023, was called up by the Presiding Officer.

ORDINANCE: 64-066-2022

Sponsored by: Councilmember Small

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

BEGINNING AT THE WESTERNMOST CORNER OF BLUE CREEK COAL SALES, INC SUBDIVISION, AS RECORDED IN MAP BOOK 129, PAGE 42 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 51°-37'-39" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF BAKER STREET (VARIABLE R/W) A DISTANCE OF 97.10 FEET; THENCE RUN SOUTH 39°-15'- 47" EAST A DISTANCE OF 1,107.03 FEET; THENCE RUN NORTH 73°-02'-06" EAST A DISTANCE OF 272.51 FEET; THENCE RUN SOUTH 16°-57'-54" EAST A DISTANCE OF 300.63 FEET; THENCE RUN SOUTH 74°-18'-51" WEST A DISTANCE OF 2,336.69 FEET; THENCE RUN SOUTH 17°-09'-59" EAST A DISTANCE OF 17.39 FEET; THENCE RUN SOUTH 74°-10'-09" WEST A DISTANCE OF 162.33 FEET; THENCE RUN NORTHWESTWARDLY ALONG THE ARC OF A CURVE TO THE RIGHT (HAVE A DELTA OF 86°-42'-08", A RADIUS OF 40.50 FEET, A CHORD BEARING OF

NORTH 62°- 28'-46" WEST, AND A CHORD LENGTH OF 55.60 FEET) AN ARC DISTANCE OF 28.75 FEET; THENCE RUN NORTH 19°-07'-42" WEST A DISTANCE OF 66.15 FEET; THENCE RUN SOUTH 77°-18'-53" WEST A DISTANCE OF 118.95 FEET; THENCE SOUTH 07°-09'-12" WEST A DISTANCE OF 272.43 FEET; THENCE RUN SOUTH 82°-20'-38" WEST A DISTANCE OF 50.26 FEET; THENCE RUN SOUTH 88°-15'-48" WEST A DISTANCE OF 82.45 FEET; THENCE RUN NORTH 84°-50'-55" WEST A DISTANCE OF 73.27 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID BAKER STREET; THENCE RUN NORTHEASTWARDLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE TO THE LEFT (HAVE A DELTA OF 55°-52'-18", A RADIUS OF 155.85 FEET, A CHORD BEARING OF NORTH 34°-59'-47" EAST, AND A CHORD LENGTH OF 146.03 FEET) AN ARC DISTANCE OF 151.98 FEET; THENCE RUN NORTH 06°-50'-11" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 279.28 FEET; THENCE RUN NORTHEASTWARDLY ALONG THE ARC OF A CURVE TO THE RIGHT (HAVE A DELTA OF 20°-02'-14", A RADIUS OF 254.55 FEET, A CHORD BEARING OF NORTH 16°-51'-18" EAST, AND A CHORD LENGTH OF 88.57 FEET) AN ARC DISTANCE OF 89.02 FEET; THENCE RUN NORTH 26°-52'-25" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 255.92 FEET; THENCE RUN NORTHEASTWARDLY ALONG SAID RIGHTOF-WAY LINE AND ALONG THE ARC OF A CURVE TO THE RIGHT (HAVE A DELTA OF 24°-45'-14", A RADIUS OF 365.00 FEET, A CHORD BEARING OF NORTH 39°-15'-02" EAST, AND A CHORD LENGTH OF 156.47 FEET) AN ARC DISTANCE OF 157.69 FEET; THENCE RUN NORTH 51°-37'-39" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 982.61 FEET; THENCE RUN NORTH 39°-20'-35" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 47.00 FEET; THENCE RUN NORTH 51°-37’-31" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 694.17 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 50.91 ACRES, MORE OR LESS.

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

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

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

REZONE PROPERTY LOCATED AT THE WEST SIDE OF TODD ACRES DRIVE, 2/5 +/- MILE NORTH OF HAMILTON BOULEVARD, EXTENDING TO THE EAST SIDE OF C.S.X. RAILROAD FROM R-A TO I-1. The following ordinance which was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meetings of January 3, 2023, January 10, 2023, and January 17, 2023, was called up by the Presiding Officer.

ORDINANCE: 64-070-2022

Sponsored by: Councilmember Reynolds

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

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

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

BEGINNING AT A CRIMPED TOP IRON FOUND MARKING THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA; THENCE S 89°28'33" E A DISTANCE OF 793.80 FEET TO THE WEST RIGHT OF WAY LINE OF TODD ACRES DRIVE, FROM SAID POINT LIES A 6" CONCRETE MONUMENT FOUND ON LINE 9.28 FEET WEST OF SAID RIGHT OF WAY LINE; THENCE ALONG SAID WEST RIGHT OF WAY LINE S 44°25'46" W A DISTANCE OF 989.81 FEET TO A CAPPED IRON (POLY) FOUND ON THE NORTH BANK OF RABBIT CREEK; THENCE IN A NORTHWESTWARDLY DIRECTION ALONG SAID NORTH BANK 538 FEET, MORE OR LESS (CHORD =N 59°56'48" W A DISTANCE OF 503.80 FEET) TO A CAPPED IRON (POLY) FOUND ON THE EAST RIGHT OF WAY LINE OF THE C.S.X. RAILROAD; THENCE ALONG SAID EAST RIGHT OF WAY LINE N 28°34'35" E A DISTANCE OF 698.94 FEET TO A CAPPED IRON SET; THENCE S 00°19'46" E A DISTANCE OF 152.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10.0 ACRES, MORE OR LESS. The classification of said property is hereby changed from R-A, Residential-Agricultural District to I-l, Light Industry District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in a I-l, Light Industry District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a I-l, Light Industry District until all of the conditions set forth below have been complied with: 1) Completion of the Subdivision process; and 2) Full compliance with all municipal codes and ordinances.

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

The ordinance was read by the City Clerk; whereupon Councilmember Jones moved to adopt the ordinance, which was seconded by Councilmember Daves, following comments from Councilmember Reynolds the vote was as follows:

Ayes: None
Nays: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory

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

ORDINANCE TO AMEND CHAPTER 9 OF THE MOBILE CODE TO ADD A NEW ARTICLE ENTITLED "BOARD OF ADJUSTMENT". The following ordinance which was read and introduced at the regular meeting of January 3, 2023, and held over until the regular meeting of January 10, 2023, and January 17, 2023, was called up by the Presiding Officer.

ORDINANCE: 09-002-2023

Sponsored by: Mayor Stimpson

BE IT ORDAINED by the City Council of the City of Mobile that Chapter 9 of the Mobile City Code is hereby amended to add a new Article III entitled “Board of Adjustment” as follows:

ARTICLE III. - BOARD OF ADJUSTMENT

SECTION ONE. Establishment and Continuance

A Board of Adjustment (hereinafter referred to as the “Board”) having been previously established by Ordinances adopted in accordance with Section 11-52-80 of the Code of Alabama, the Board is hereby continued in existence. Members currently serving on the Board shall serve out their current terms and are eligible for reappointment.

SECTION TWO. Membership

1. Regular Members. The Board shall consist of seven regular members, each to be appointed by the City Council for a term of three years. All regular members are eligible for reappointment.

2. Supernumerary Members. In addition to the seven regular members of the Board, the City Council will also appoint two supernumerary members to serve on the Board at the call of the Board’s chairman only in the absence of regular members and while so serving shall have and exercise the power and authority of regular members. Supernumerary members shall be appointed to serve for three-year terms and are eligible for reappointment.

3. Qualifications. All members of the Board, including supernumerary members, shall be bona fide residents and qualified electors of the City of Mobile.

4. Board members shall receive no compensation for service.

5. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

6. Appointed members, including supernumerary members, may be removed by the City Council for cause upon written charges and after public hearing.

SECTION THREE. Rules of Procedure

1. The Board shall adopt rules of procedure that are consistent with the requirements of section 11-52-80 of the Code of Alabama, this Ordinance, and the procedures set forth in Article 5 of the Unified Development Code. The rules adopted by the Board will be published on the City’s website.

2. Meetings of the Board shall be held at the call of the chairman, or in his or her absence the acting chairman, and at such other times as the Board may determine; provided, however, that the Board shall meet regularly once a month on a day determined by the Board.

3. All meetings of the Board shall be open to the public.

4. The chairman, or in his or her absence, the acting chairman, may administer oaths and compel the attendance of witnesses.

5. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examination and of other official actions all of which shall immediately be filed in the office of the Board and the office of the Director of the City’s Planning Department, and shall be a public record.

SECTION FOUR. Officers

The Board shall elect from its regular members a chairman, a vice-chairman, a secretary, and such other officers as the Board deems necessary and appropriate.

SECTION FIVE. Powers and Duties

1. The Board shall have the following powers:

A. Administrative Appeals. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of Title 11, Chapter 52, Article 4 of the Code of Alabama or the Unified Development Code, Chapter 64 of the City Code.

(a) Appeals to the Board may be taken by any person aggrieved or by any officer, department, or board of the City affected by any decision of the administrative officer. Such appeal shall be initiated and heard by the Board in accordance with the requirements and procedures set forth in section 64-5-9 of the Unified Development Code and the Board's rules of procedure.

(b) In exercising its powers of administrative review, the Board may reverse, affirm, or modify the order, requirement, decision, or determination appealed from and may enter the appropriate order, requirement, decision, or determination and, to that end, shall have all the powers of the officer from whom the appeal is taken.

(c) An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. Such proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

2. Special Exceptions. To hear and decide requests for special exceptions expressly allowed by the Unified Development Code, subject to the approval criteria, conditions, and requirements therein contained.

(a) A request for special exception shall be initiated and heard by the Board in accordance with the requirements and procedures set forth in section 64-5-11 of the Unified Development Code and the Board's rules of procedure.

(b) A request for special exception shall be subject to the approval criteria, conditions, and requirements set forth in the Unified Development Code.

3. Variances. To authorize upon appeal in specific cases such variance from the terms of the Unified Development Code as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the Code will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

(a) A variance request shall be initiated and heard by the Board in accordance with the requirements and procedures set forth in section 64-5-10 of the Unified Development Code and the Board's rules of procedure.

(b) A variance request shall be subject to the approval criteria, conditions, and requirements set forth in the Unified Development Code.

(c) No variance shall be authorized:

(1) In order to relieve an owner of a lot of restrictive covenants applicable to said lot which are recorded in the probate court;

(2) Where economic loss is the sole basis for the requested variance; or

(3) Where the variance is otherwise unlawful.

(d) In granting any variance, the Board may impose conditions and safeguards reasonable and necessary to bring the project or site into compliance with the standards set forth in the Unified Development Code.

4. Decision.

(a) In exercising its powers, the Board may, in conformity with the provisions of Title 11, Chapter 52, Article 4 of the Code of Alabama and the approval criteria, conditions, and requirements of the Unified Development Code, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made and, to that end shall have all the powers of the officer from the appeal is taken.

(b) The concurring vote of five members of the Board shall be necessary to reverse any order, requirement, decision, or determination of an administrative official or to decide in favor of the applicant on a matter upon which the Board is required to pass or to authorize any variance.

SECTION SIX. Appeals

(a) In accordance with Code of Alabama section 11-52-81, any party aggrieved by any final judgment or decision of the Board may within 15 days thereafter appeal therefrom to the circuit court by filing with the Board a written notice of appeal specifying the judgment or decision from which the appeal is taken.

(b) In case of such appeal the Board shall cause a transcript of the proceedings in the action to be certified to the court to which the appeal is taken, and the action in such court shall be tried de novo.

SECTION SEVEN. Ordinance Intended to be Supplemental

The provisions of this Ordinance are supplemental and intended to continue the Board in existence with all the powers and authority that it has previously exercised. This Ordinance shall not be construed to repeal any other ordinance or law except to the extent of any conflict.

SECTION EIGHT. Effective Date

This Ordinance shall take effect after its adoption and publication as required by law on the effective date of the Unified Development Code as provided therein in section 64-9-4.

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved to adopt the ordinance, which was seconded by Councilmember Jones.

Councilmember Carroll moved to make three amendments to the ordinance and asked Michael Linder, Jr., Council Attorney, to read each amendment aloud.

Michael Linder, Jr. said the following:

“The first is technical only, it’s making a typographical change to make the usage in the first subsection one consistent, it’s just removing (a) so that all sections are numbered the same way.”

Councilmember Carroll moved to adopt the first amendment, which was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory

Nays: None

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

Michael Linder, Jr. said the following:

“The second amendment is subsection 3c-1, striking subsection 3c-1 one that’s the subsection stated that the board of adjustments shall not have the power to modify or strike restrictive covenants since that is not a power board of adjustments have under Alabama Law, it was considered to be redundant so that is the reason for striking subsection 3c-1 under this amendment.

Councilmember Carroll moved to adopt the second amendment, which was seconded by Councilmember Daves, following comments from Councilmember Reynolds the vote was as follows:

Ayes: None
Nays: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the amendment failed.

Michael Linder, Jr. said the following:

“The third amendment is adding a section 5 to the ordinance governing legal counsel for the board of adjustment that amendment reads: The board may appoint an attorney who shall serve at the pleasure of the board to attend all board meetings and provide legal advice to the board, any representation agreement shall be subject to final approval by the City Council as to the term of the appointment and the rate of compensation. No attorney who represents the city or any of its agencies whether as in-house or outside counsel shall be eligible to serve as board counsel.

Councilmember Carroll moved to adopt the third amendment, which was seconded by Councilmember Daves, following comments from Councilmembers Reynolds and Jones; Councilmember Small asked for a roll call vote:

Penn: Aye
Carroll: Aye
Small: Aye
Reynolds: Nay
Daves: Nay
Jones: Aye
Gregory: Nay

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the amendment failed.

The Presiding Officer then called for a vote on the original motion as amended and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

REZONE PROPERTY LOCATED AT 3516 AND 3526 HALLS MILL ROAD FROM R-1 TO I-1. The following ordinance was held over until the regular meeting of January 17, 2023.

ORDINANCE: 64-003-2023

Sponsored by: Councilmember Reynolds

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:

RESUBDIVISION OF A PORTION OF LOTS 2, 3, & 4 OF GOLDEN GLOW FARM AS RECORDED IN MB 4, PG 59-61 IN THE OFFICE OF JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA. BEING MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 , RESUBDIVISION OF LOT I GOLDEN GLOW FARMS FIRST ADDITION, AS RECORDED IN MAP BOOK 52, PAGE 71 IN THE OFFICE OF JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA; THENCE RUN N60°20'09"W, 307.10 FEET TO A POINT; THENCE RUN N02"51'58"E, 230.20 FEET TO A POINT; THENCE RUN S52°01'23"E, 421.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HALLS MILL ROAD; THENCE RUN ALONG SAID ROAD S31°55'05"W, 144.72 FEET TO THE POINT OF BEGINNING CONTAINING 1.42 ACRES.

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

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

The ordinance was read by the City Clerk; whereupon Councilmember Reynolds moved to adopt the ordinance, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

CONSENT RESOLUTIONS HELD OVER

DECLARE THE STRUCTURE AT 357 RYLANDS LANE, F/K/A STREET, A PUBLIC NUISANCE, AND ORDER IT DEMOLISHED. The following resolution which was introduced and read at the regular meeting of November 15, 2022, and held over until the regular meeting of January 17, 2023, was called up by the Presiding Officer.

RESOLUTION: 40-1007-2022

Sponsored by: Councilmember Carroll

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 **357 RYLANDS LANE F/K/A 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 11 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, 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 **357 RYLANDS LANE F/K/A STREET** described as:

LOT 14 THOMAS MOODY ESTATES AS REC IN DBK 70/169 #SEC 25 T4S R1W #MP 29 07 25 0 002

Parcel Number: 29 07 25 0 002 232

Last Assessed to: DAVIS MELISSA

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

RESOLUTIONS HELD OVER

AUTHORIZE PURCHASE ORDER TO TOOMEY’S MARDI GRAS CANDY CO., INC. FOR MOON PIES AND BEADS FOR 2023 MARDI GRAS; $18,639.00. The following resolution which was introduced and read at the regular meeting of January 10, 2023, and held over until the regular meeting of January 17, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-038-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
3252	2023	(1030) CITY CLERK	MOON PIES AND BEADS FOR MARDI GRAS PARADES FOR CITY COUNCIL (SEALED BID 5735)	$18,639.00	(130871) TOOMEYS MARDI GRAS CANDY CO INC

The resolution was read by the City Clerk; whereupon Councilmember Carroll moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Jones, and Gregory
Abstain: Daves
Nays: None

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

AUTHORIZE PURCHASE ORDER TO E-BUILDER, INC. FOR ANNUAL SOFTWARE SUBSCRIPTION; $55,574.36. The following resolution which was introduced and read at the regular meeting of January 10, 2023, and held over until the regular meeting of January 17, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-039-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
3607	2023	(2045) MAJOR PROJECTS	ANNUAL ONE-YEAR RENEWAL OF E-BUILDER PROJECT MANAGEMENT SOFTWARE (GSA CONTRACT)	$55,574.36	(295201) E-BUILDER INC

The resolution was read by the City Clerk; whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

AUTHORIZE PURCHASE ORDER TO CALLYO 2009 CORP. FOR ANNUAL SUBSCRIPTION FOR INVESTIGATIVE SOFTWARE FOR MPD; $16,740.00. The following resolution which was introduced and read at the regular meeting of January 10, 2023, and held over until the regular meeting of January 17, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-040-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
3393	2023	(1530) POLICE ADMIN SERVICES	ANNUAL SUBSCRIPTION RENEWAL FOR CALLYO MOBILE INVESTIGATIVE SOFTWARE FOR MPD (SOLE SOURCE RENEWAL)	$16,740.00	(294761) CALLYO 2009 CORP

The resolution was read by the City Clerk; whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH JAMES H. ADAMS & SON CONSTRUCTION CO., INC. FOR CONSTRUCTION SERVICES FOR THE THREE MILE CREEK WATERSHED RESTORATION PROJECT. The following resolution which was introduced and read at the regular meeting of January 10, 2023, and held over until the regular meeting of January 17, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-041-2023

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, 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. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of Company: James. H. Adams & Son Construction Company, Inc.

COM Project Name: THREE MILE CREEK WATERSHED RESTORATION (STATE EXPENDITURE PLAN #16)

COM Project Number: 2018-3005-09

The resolution was read by the City Clerk; whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory

Nays: None

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

AUTHORIZE CONTRACT WITH MICHAEL BAKER INTERNATIONAL, INC. FOR 2023 MS4, STORM WATER MANAGEMENT PROFESSIONAL SERVICES; $320.200.00. The following resolution which was introduced and read at the regular meeting of January 10, 2023, and held over until the regular meeting of January 17, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-042-2023

Sponsored by: Mayor Stimpson and Councilmembers Penn, Carroll, Small Reynolds, Daves, Jones, and Gregory

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: Michael Baker International, Inc.

Project Name: 2023 MS4, Storm Water Management Professional Services

Estimated Cost: $320,200.00

The resolution was read by the City Clerk; whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH UNITED SITE SERVICES OF MISSISSIPPI, LLC FOR MARDI GRAS 2023 PORTABLE TOILET RENTALS AT VARIOUS CITY LOCATIONS; $78,800.00. The following resolution which was introduced and read at the regular meeting of January 10, 2023, and held over until the regular meeting of January 17, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-043-2023

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: UNITED SITE SERVICES OF MISSISSIPPI, LLC

Project Name: SERVICE CONTRACTPORTABLE
RENTAL MARDI GRAS 2023
AT VARIOUS CITY OF MOBILE LOCATIONS

Project Number: PS-001-23

Amount: $78,800.00

The resolution was read by the City Clerk; whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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 Gregory moved for the suspension of the rules to consider Resolutions 03-044 through 60-063 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items

CONSENT RESOLUTIONS BEING INTRODUCED

APPOINT VIC LOCKETT TO THE PUBLIC PARKS AND RECREATION BOARD OF THE CITY OF MOBILE. The following resolution was introduced by Councilmember Gregory.

RESOLTUION: 03-044-2023

Sponsored by: Councilmember Daves

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Vick Lockett is appointed to the Public Park and Recreation Board of the City of Mobile (Ernest F. Ladd Memorial Stadium) effective immediately for a term ending January 17, 2029.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

APPOINT DEQUEL ROBINSON TO THE ADVISORY COMMISSION ON THE DISABLED. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-045-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that, pursuant to Ordinance 65-031-1989, the Mayor's appointment of Dequel Robinson to the Advisory Committee on the Disabled for a two (2) year term effective immediately and expiring January 17, 2025, is hereby approved and confirmed.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

TRANSFER FUNDS FROM DISTRICT 3 DISCRETIONARY FUNDS TO MOBILE POLICE GENERAL FUND ACCOUNT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 09-046-2023

Sponsored by: Councilmember Small

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $3,839.33 be transferred from the District 3 General Fund, Discretionary Account DSC-03, from General Fund Account 10041020-42080 to the Mobile Police Department General Fund Account 10041534-43130 and will be used for traffic control for the float escorts regarding the "DIP Christmas Parade" on December 3, 2022.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1864 LUCKIE AVENUE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-047-2023

Sponsored by: Councilmember Penn

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1864 Luckie Avenue and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1864 Luckie Avenue to be $3,650.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of $3,650.00 shall constitute a special assessment against the property at 1864 Luckie Avenue and being that property more particularly described as follows:

LOT 18 BLK1 MCDONALD SUB AT TOULMINVILLE DBK 156 P 94 #SEC 44 T4S R1W #MP29 02 44 0 023

Parcel No.: 29 02 44 0 023 132.XXX

Owner: POGUE-KNIGHT CLARA & NAOMI POGUE-HAIR
317 BRONNER ST
PRICHARDAL 36610-2473

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the **demolition** of the structure upon said property is hereby in all respects confirmed.

Section 2, It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1405 CONGRESS STREET.
The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-048-2023

Sponsored by: Councilmember Carroll

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1405 Congress Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1405 Congress Street to be $3,200.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of $3,200.00 shall constitute a special assessment against the property at 1405 Congress Street and being that property more particularly described as follows:

ALL THAT PT OF LOT 10 BLK 3 OF LEXINGTON HGTS DBK 70 NS PG 126 MORE PART DESC AS THAT LOT ON S/S CONGRESS ST BDED BY LINE DESC AS FOLL- BEG AT SW COR LEXINGTON AVE & CONGRESS ST TH RUN WLY ALG S/L CONGRESS ST 63.2 FT TO PT WHICH IS POB OF PPTY HEREIN CONVEYED TH CONT ALG S/L OF CONGRESS ST 19.9 FT TO PT TH WITH DEFL ANG TO LT OF 79 DEG 23 MIN RUN ELY & PAR WITH CONGRESS ST 18.9 FT TO PT TH WITH DEFL ANG TO LT OF 100 DEG 34 MIN RUN NLY120 FT TO POB #SEC 25 T4S R1W #MP29 07 25 0 005

Parcel No.: 29 07 25 0 005 118.XXX

Owner: SHELTON CHERYL
2756 MCGREW CT
MOBILE AL 36606-2310

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the **demolition** of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1415 ESLAVA STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-049-2023

Sponsored by: Councilmember Carroll

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1415 Eslava Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1415 Eslava Street to be $6,450.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of $6,450.00 shall constitute a special assessment against the property at 1415 Eslava Street and being that property more particularly described as follows:

LOT 17 BLK18 GLENDALE PARK DBK 61 N S P 316 #SEC 22 T4S R1W #MP29 10 22 3 003

Parcel No.: 29 10 22 3 0903 092.XXX

Owner: LOPER ANTHONY 2 & COLLIE
1414 ESLAVA ST
MOBILE AL 36605

and the assessment hereby made and confirmed shall constitute a lien oil and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the **demolition** of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 2118 BARRON PLACE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-050-2023

Sponsored by: Councilmember Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 2118 Barren Place and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 2118 Barren Place to be $3,150.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of $3,150.00 shall constitute a special assessment against the property at 2118 Barren Place and being that property more particularly described as follows:

LOT 6 BLK B BARRON SUB MBK 4 P 685 #SEC 35 T5S R1W #MP32 04 35 0 003

Parcel No.: 32 04 35 0 003 134.XXX

Owner: RAYMOISD JAMES ANTHONY
2118 BARRON PLACE
MOBILE AL 36605-3310

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the **demolition** of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

FIX COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 1110 GIMON CIRCLE WEST. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-051-2023

Sponsored by: Councilmember Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1110 Gimon Circle West and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1110 Gimon Circle West to be $5,000,00 and the City Council, having received the report and heard all objections which have been raised by any "of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of 5,000.00 shall constitute a special assessment against the property at 1110 Gimon Circle West and being that property more particularly described as follows:

LOT 4 BLK 8 FULTON RIDGE ESTS MBK 4/110 #SEC 32 T4S R1W #MP29 11 32 4 003

Parcel No.: 291132 4 003 O15.XXX

Owner: HUGHES ROBERT JAMES
11131 CALUMET DR
NEW PORT RICHEY FL

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the **demolition** of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

FIX COSTS FOR DEMOLITION OF STRUCTURE AT 2017 MARIANN DRIVE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-052-2023

Sponsored by: Councilmember Jones

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 2017 Marian Drive and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 2017 Marian Drive to be $6,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of $6,700.00 shall constitute a special assessment against the property at 2017 Marian Drive and being that property more particularly described as follows:

LOT 59 MARYKNOLL 1st UNIT MBK 14 PG 2 #SEC 32 T4S R2W #MP28 09 32 4 000

Parcel No.: 28 09 32 4 OOO 046.XXX

Owner: WESTBROOK LORRAINE BARREN
2017 MARIAN DR
MOBILE AL 36695-3828

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the **demolition** of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

DECLARE WEES NOXIOUS, GROUP 1639. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-053-2023

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

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

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

SECTION 1: It has been determined by the City Council of Mobile that the weeds growing on the privately owned lots or parcels of land described in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part thereof as though set forth in full, known as **Group #1639** under the caption "NOXIOUS OR DANGEROUS WEEDS GROWING ON PROPERTY," are noxious and dangerous, and such weeds are hereby declared to be public nuisances. The properties upon which such weeds are growing are all located within the corporate limits of the City of Mobile, about the streets referred to in the description which are more particularly described in said Exhibit "A."

SECTION 2: The weeds growing on or in front of the above-described parcels of property shall be abated by the removal of such noxious or dangerous weeds or they will be removed and the nuisances abated by the City of Mobile, in which case the cost of such removal will be assessed against the respective parcels of lands from which such weeds are removed, and such cost will constitute a lien upon such respective parcels of land until paid. A public meeting is hereby called to be held in the Auditorium of the Mobile Government Plaza, 205 Government Street, Mobile, Alabama, on the **21st day of February 2023**, at ten thirty a.m., for the purpose of hearing any objections to the declarations contained in this resolution and to the proposed removal of such weeds, at which time all objections will be heard and given due consideration by the City Council of Mobile; and it is directed that there shall be conspicuously posted in front of each parcel of property, a notice headed "NOTICE TO DESTROY WEEDS," such heading to be in words not less than one inch in height and substantially in the form set out in such Act No. 329, approved April 29, 1988.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, 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; TRIMMIER. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-054-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon 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 following employee(s):

Fire Service Driver Paula Trimmier (Emp #7174)

This employee is to be commended for her exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

AUTHORIZE STIPEND FOR CAPTAIN LEE LAFFITTE TO ATTEND SOUTHERN POLICE INSTITUTE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-055-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City supervisors, recommends to the City Council that it authorize and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a stipend of $5,000, to be trusted to Captain Lee L. Laffitte of the Mobile Police Department, for expenses accrued while attending said training at the University of Louisville for the 149th Administrative Officers Course from February 12th to May 12, 2023.
The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO UTOPIAN LEGACY, CDC SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-056-2023

Sponsored by: Councilmembers Penn, Carroll, Small, and Jones

WHEREAS, Councilmember Penn, wishes to appropriate $500.00; Councilmember Carroll wishes to appropriate $1,000.00; Councilmember Small wishes to appropriate $500.00 and Councilmember Jones wishes to appropriate $1,000.00 (TOTAL $3,000.00) to Utopian Legacy CDC, from their discretionary funds; and

WHEREAS, Utopian Legacy CDC, is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Utopian Legacy CDC will be used for the “Lead One, Teach One” to purchase laptops and IPads, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of $3,000.00 to Utopian Legacy CDC for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO CLOTILDA DESCENDANTS ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-057-2023

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn, wishes to appropriate $750.00 to Clotilda Descendants Association, from his discretionary funds; and

WHEREAS, Clotilda Descendants Association, is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Clotilda Descendants Association will be used for the 5TH annual Spirit of Our Ancestors Festival event will be held on February 2-5, 2023, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of $750.00 to Clotilda Descendants Association for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO ALABAMA ZETA PHI BETA SORORITY, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-058-2023

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate $1,000.00 to Alabama Association Zeta Phi Beta Sorority Inc., from his discretionary funds; and

WHEREAS, Alabama Association Zeta Phi Beta Sorority Inc., is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Alabama Association Zeta Phi Beta Sorority Inc., will be used to assist with the Nu Zeta Zeta Chapter scholarship program, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of $1,000.00 to Alabama Association Zeta Phi Beta Sorority Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO EBENEZER AME ZION CHURCH SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-059-2023

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate $1,500.00 to Ebenezer AME Zion Church, from his discretionary funds; and

WHEREAS, Ebenezer AME Zion Church Church is an Alabama unincorporated religious association which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Ebenezer AME Zion Church to assist with distribution of toys within the Toulminville community which will serve a public purpose benefitting the City of Mobile and its citizens.

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

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO PARKER ADULT FOSTER HOMES, INC., D/B/A ELISSA S. PARKER QIDP, SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-060-2023

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wish to appropriate $500.00 to Parker Adult Foster Homes, Inc., dba Elissa S. Parker QIDP from his discretionary funds; and

WHEREAS, Parker Adult Foster Homes, Inc. dba Elissa S. Parker QIDP, is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Parker Adult Foster Homes, Inc. will be used to assist with helping individuals with intellectual disabilities needs which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of $500.00 to Parker Adult Foster Homes, Inc. dba Elissa S. Parker QDP for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO LENNOX PLACE HOMEOWNERS ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-061-2023

Sponsored by: Councilmember Jones

WHEREAS, Councilmember Jones wishes to appropriate $385.00 to Lennox Place Homeowners Association, Inc. from his discretionary funds; and

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

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

WHEREAS, the Mobile City Council determines that this appropriation to Lennox Place Homeowners Association, Inc. will be used to assist with the beautification project and lighting, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of $385.00 to Lennox Place Homeowners Association, Inc. for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO PROVIDENCE FOUNDATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-062-2023

Sponsored by: Councilmember Gregory

WHEREAS, Councilmember Gregory wishes to appropriate $2,500.00 to Providence Foundation, from her discretionary funds; and

WHEREAS, Providence Foundation is an Alabama non-profit corporation which provides a service to the community; and

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

WHERAS, the Mobile City Council determines that this appropriation to Providence Foundation will be used for “The Beth Rouse Rehabilitation and Wellness Center” for facility and equipment upgrades, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of $2,500.00 to Providence Foundation for the purposes described herein above serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO ALABAMA BIG TEN MAYOR ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-063-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Comptroller is authorized to issue, for and on behalf of the City of Mobile, payment to the indicated vendor in the approximate amount stated, for the following invoice as indicated below and attached herein:

Invoice	Account	Description	Amount	Vendor
2022-21	10049000-42110	CITY SHARE OF CONSULTING SERVICES FOR THE BIG TEN.	$32,645,59	ALABAMA BIG TEN MAYORS ASSOCIATION

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
Nays: None

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

RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO COBLENTZ EQUIPMENT & PARTS CO., INC. FOR MOWERS FOR PUBLIC SERVICES DEPT.; $39,924.40. The following resolution was held over until the regular meeting of January 24, 2023.

RESOLUTION: 08-064-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
1819	2023	(F7000) MOTOR POOL	4 ALAMO SHD88 FLAIL MOWERS FOR PUBLIC SERVICES (AL STATE CONTRACT)	$39,924.40	(291217) COBLENTZ EQUIPMENT & PARTS CO INC

APPROVE PURCHASE ORDER TO SUNBELT FIRE, INC. FOR 100 SETS OF LEATHER FIRE BOOTS FOR MFRD; $55,800.00. The following resolution was held over until the regular meeting of January 24, 2023.

RESOLUTION: 08-065-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
3869	2023	(1510) FIRE ADMINISTRATION	100 SETS STRUCTURAL LEATHER FIRE BOOTS FOR MFRD (HGAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$55,800.00	(198904) SUNBELT FIRE INC

TRANSFER FUNDS FROM GENERAL FUND (UNASSIGNED FUND BALANCE) TO CAPITAL IMPROVEMENT FUND, CAPITAL PROJECT CIVIC CENTER – NEW PARKING FACILITY; $1,000,000.00. The following resolution was held over until the regular meeting of January 24, 2023.

RESOLUTION: 09-066-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $1,000,000.00 in the General Fund Unassigned Fund Balance (Fund 1000.) be transferred to Capital Improvement Fund (Fund 2000); Capital Project# C0826 Civic Center-New Parking Facility.

AUTHORIZE CONTRACT WITH WATTIER SURVEYING, INC. FOR SURVEYING SERVICES AT THE NEW POLICE DEPARTMENT MOUNTED UNIT; $28,400.00. The following resolution was held over until the regular meeting of January 24, 2023.

RESOLUTION: 21-067-2023

Sponsored by: Mayor Stimpson and Councilmember Gregory

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: WATTIER SURVEYING, INC.

Project Name: POLICE DEPARTMENT MOUNTED UNIT SURVEYING SERVICES

Project Number: PD-053-22

Amount: $28,400.00

AUTHORIZE CONTRACT WITH OVERSTREET AND ASSOCIATES, PLLC FOR ENGINEERING DESIGN SERVICES FOR PEDESTRIAN IMPROVEMENTS ON

WATER ST. AT BEAUREGARD ST.; $32,000.00. The following resolution was held over until the regular meeting of January 24, 2023.

RESOLUTION: 21-068-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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

Name of Company: Overstreet and Associates, PLLC

Project Name: Water Street Pedestrian Improvements

Project No.: 2023-2060-04

Amount: $32,000.00

AUTHORIZE CONTRACT WITH KIMLEY-HORN & ASSOCIATES, INC. FOR PARK ENTRANCE AND AMPHITHEATER IMPROVEMENTS AT MEDAL OF HONOR PARK; $221,665.75. The following resolution was held over until the regular meeting of January 24, 2023.

RESOLUTION: 21-069-2023

Sponsored by: Mayor Stimpson and Councilmember Jones

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.

AUTHORIZE APPROPRIATION CONTRACT WITH MOBILE COUNTY COMMISSION FOR HILLWOOD PROJECT. The following resolution was held over until the regular meeting of January 24, 2023.

RESOLUTION: 21-070-2023

Sponsored by: Mayor Stimpson and Councilmember Daves

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $20,000.00 appropriated by the Mobile County Commission for the Hillwood Project 2-10-22(26) COP 21 1-2, a sidewalk project in the City of Mobile be accepted and allocated to Hillwood Rd. Sidewalk Project 2023-3005-07.

Mobile County Project Name: Hillwood Project 2-10-22(26) COP 211-2

City of Mobile Project Name: Hillwood Rd Sidewalk Project 2023-3005-07

Amount: $20,000.00

AUTHORIZE GROUND LEASE AND PROJECT AGREEMENT WITH FDS MOBILE, AL, LLC. The following resolution was held over until the regular meeting of January 24, 2023.

RESOLUTION: 35-071-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COLTNCIL 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, the Ground Lease and Project Agreement between the City of Mobile and FDS Mobile AL, LLC, attached hereto or one substantially similar, and made apart hereof, as though set forth in full, and to take such further action necessary to effectuate the Agreement. A copy of said Ground Lease and Project Agreement is on file in the office of the City Clerk.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; MOORE. The following resolution was held over until the regular meeting of January 24, 2023.

RESOLUTION: 60-072-203

Sponsored by: Mayor Stimpson

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; WHITEFIELD. The following resolution was held over until the regular meeting of January 24, 2023.

RESOLUTION: 60-073-2023

Sponsored by: Mayor Stimpson

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

ANNOUNCEMENTS

Councilmember Reynolds thanked everyone for volunteering in the MLK Jr., day of service where over 550 pounds of litter was collected in District 4.

Councilmember Jones read part of an email received from a citizen pertaining to their child that struggles with mental illness.

Councilmember Jones informed the public that starting on January 17, 2023, the Veterans Administration will pay for all emergency mental health care for veterans.

Councilmember Jones stated that he was unable to attend the MLK Jr., day of service, but heard that there was a great turnout of volunteers in District 6.

Councilmember Jones said that a meeting was held on Thursday, January 12, 2023, regarding a new development on Hillcrest and Nevius Road, and the item is on the Planning Commission's upcoming agenda.

Councilmember Penn mentioned that there was a high-speed Police chase in the Toulminville community on Stanton Road and a house was hit. He urged the community to come together to stop the violence.

Councilmember Penn announced that the Winter Jam on last Friday night at the Civic Center was full to capacity.

Councilmember Penn thanked everyone for participating in the MLK Jr. day of service to help make it a success.

Councilmember Carroll thanked everyone for volunteering in the MLK Jr. day of service in District 2.

Councilmember Carroll reminded everyone that on January 24, 2023, is the “Point-In-Time Count” for the homeless in Mobile.

Councilmember Carroll expressed the need in our city and state for another funding source for mental health assistance.

Councilmember Carroll requested that the Council send a letter to the Governor to expand Medicaid and Medicare.

Councilmember Daves announced that 140 pounds of litter was collected on the MLK Jr. day of service in District 5.

Councilmember Gregory stated that she was unable to attend the MLK Jr. day of service clean-up and thanked the Administration, Mobile United, and all the volunteers that helped make this event a success in District 7.

Councilmember Gregory thanked Lawrence Battiste, Executive Director of Public Safety, for his work on helping with traffic solutions during the North McGregor roadway project.

Councilmember Gregory pointed out that she received a 20-year pin for her service with the City this morning.

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:18 p.m.

Adopted:

____
COUNCIL PRESIDENT

____
CITY CLERK