

MUNICIPAL BUILDING, MOBILE, ALABAMA, JANUARY 3, 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 3, 2023, at 9:00 a.m.

Councilmembers:

Present: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory
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 3, 2023

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, January 3, 2023, at 10:30 a.m., for the regular meeting.

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

Apostle Tamika Morgan, Rebirth Apostolic Ministry, 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

James Barber, Chief of Staff, informed the Council that the Mayor could not attend the meeting today because he is participating in a press conference about the shooting downtown on New Year’s Eve.

MONTHLY FINANCE REPORT:

Celia Sapp, Deputy Finance Director, provided the finance report for November 2022.

NOTE: Lisa C. Lambert, City Clerk, read the following for the record:

Rebuild Alabama Act (2019-2) - Gasoline and Diesel Fuel Excise Tax

In accordance with the referenced Rebuild Alabama Act (2019-2) this correspondence shall serve to document activities for the 2022 fiscal year.

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1) Recorded revenues totaling \$1,354,385.80 in FY 2022

2) No expenditures have been made to date.

3) By Resolution number 09-744, adopted September 6, 2022, the City Council for the City of Mobile adopted its Annual Transportation Plan to expend \$1,500,000.00, on TIGER/Dr. MLK/Broad Street. This project is in final design. Plans are to advertise and award the construction contract in the second half of 2023.

ADOPTION OF THE AGENDA:

Councilmember Jones moved to adopt the agenda, which move 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 agenda adopted.

APPEALS

Request of Ultimate Audio Fabrication, LLC for a waiver of the Noise Ordinance at 3404 Moffett Road on the first Friday of each month in 2023, from 6:00 p.m. – 9:00 p.m. (District 1).

Councilmember Penn moved to grant the waiver for the first Friday of this month only, 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 waiver granted for the first Friday of this month.

Request of Mobile Alumni Chapter Kappa Alpha Psi for a waiver of the Noise Ordinance at 650 St. Francis Street on January 7, 2023, from 1:00 p.m. – 8:00 p.m. (District 2).

Councilmember Carroll moved to grant the waiver, which motion was seconded by Councilmember Jones 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 Forlisher French for a waiver of the Noise Ordinance at Cooper Riverside Park on May 4, 2023, from 2:00 p.m. – 8:00 p.m. (District 2).

Councilmember Carroll moved to grant the waiver, which motion was seconded by Councilmember Jones 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 Gulf Coast Ethnic & Heritage Jazz Festival for a waiver of the Noise Ordinance at Cooper Riverside Park on July 29 & 30, 2023, from 4:00 p.m. – 10:00 p.m. (District 2).

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Councilmember Carroll moved to grant the waiver, which motion was seconded by Councilmember Jones 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 St. Monica Catholic Church for a waiver of the Noise Ordinance at 1131 Dauphin Island Parkway on January 29, 2023, from 11:00 a.m. – 11:00 p.m. (District 3).

Councilmember Carroll moved to grant the waiver, which motion was seconded by Councilmember Jones 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 CONSIDER AN ORDINANCE TO AMEND SECTION 64.3.I, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, AND AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022.

The Presiding Officer announced that today was the day for the public hearing to consider an ordinance to amend section 64.3.I, downtown development district, of the current zoning ordinance, chapter 64 of the mobile city code, 1991, and amend appendix a, downtown development district, of the unified development code, chapter 64 of the mobile city code, 2022 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 ordinance authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING PROPOSING THE CREATION OF A TAX INCREMENT FINANCE (TIF) DISTRICT IN THE CITY OF MOBILE, AUTHORIZING THE PREPARATION OF A PROJECT PLAN, AND AUTHORIZING THE PRESIDENT OF THE CITY COUNCIL TO PERFORM CERTAIN ACTIONS REQUIRED BY ALABAMA LAW.

The Presiding Officer announced that today was the day for the public hearing proposing the creation of a tax increment finance (TIF) District in the City of Mobile, authorizing the preparation of a project plan, and authorizing the President of the City Council to perform certain actions required by Alabama Law and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded.

PUBLIC HEARING TO CONSIDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO ARMSTEAD MORTUARY TRANSIT SERVICE TO OPERATE A SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider a certificate of public convenience and necessity to Armstead Mortuary Transit Service to

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operate a shuttle service 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 CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BABY B'S TRANSPORTATION TO OPERATE A SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider approval of a certificate of public convenience and necessity to Baby B's Transportation to operate a shuttle service 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.

ORDINANCES HELD OVER

CONSIDER AN ORDINANCE TO AMEND SECTION 64.3.I, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, AND AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022. The following ordinance which was read and introduced at the regular meeting of December 13, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

ORDINANCE: 64-069-2022

Sponsored by: Councilmembers Carroll and Jones

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the "DDD Code" set forth in the Zoning Ordinance, Chapter 64, Section 64 -3.I. of the Mobile City Code, and in Appendix A of the Unified Development Code adopted by the Mobile City Council on July 12, 2022 (Ordinance 64-017-2022), and the Regulating Plan and Maps that show the zoning sub-districts and street hierarchy associated with the districts and sub-districts within the Downtown Development District, be, and the same hereby are, amended so that they now read in full as set forth in the attached.

This amendment of the DDD Code set forth in the Zoning Ordinance, Chapter 64, Section 64-3.I shall be effective upon adoption and publication as required by law. The amendment of Appendix A of the Unified Development Code, Ordinance 64-017-2022) shall become effective on the date that the Uniform Development Code becomes effective, as set forth therein.

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

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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 was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 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-I, 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-I, 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-I, 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 hold the ordinance over for one week, 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 ordinance held over for one week until the regular meeting of January 10, 2023.

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REZONE PROPERTY LOCATED AT 6137 TODD ACRES DRIVE FROM R-A, B-5, I-1 AND I-2 TO I-2. The following ordinance was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

ORDINANCE: 64-071-2022

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:

LOT I Commencing at the Northwest corner of Section 35, Township 5 South, Range 2 West, Mobile County, Alabama, run South 89°-58'-56" East and along the North line of said Section, 2039.36 feet to the Point of Beginning of the property herein described, said point being the Northeast corner of Lot 5, Crigler Industrial Park, as recorded in Map Book 128, Page 89, Probate Court Records, Mobile County, Alabama; thence South 89°-58'-56" East and along the North line of said Section 35, a distance of 1100.68 feet to the Northeast corner of Lot 16, The Mobile Commerce Park Phase I, as recorded in Map Book 46, Page 42, said Probate Court Records; thence along said Lot 16 as follows: South 00°-39'-18" East, 177.81 feet to the PC of a 75.00 foot radius curve to the right; thence Southwardly and Westwardly along the arc of said curve (chord bears South 45°-08'-35" West, 108.27 feet), a distance of 120.95 feet; thence South 89°-56'-35" West, 165.09 feet; thence South 00°-07'-03" East and along the West line of Lot 15, said subdivision, a distance of 490.29 feet; thence North 89°-55'-17" East and along the South line of said lot, 141.63 feet; thence South 14°-33'-19" East, 100.30 feet to a point on the Western line of Lot 11, The Mobile Commerce Park Phase II, as recorded in Map Book 62, Page 72, said Probate Court Records; said point being in the arc of 449.91 foot radius curve to the left; thence Southwardly and Westwardly along the arc of said curve (chord bears South 37°-34'-10" West, 549.93 feet), a distance of 591.65 feet; thence North 89°-53'-09" East and along the South line of said lot, 396.41 feet to a point on the West line of Lot 10, said The Mobile Commerce Park Phase II; thence South 00°-01'-43" West, 326.34 feet; thence North 89°-41'-59" East and along the South line of Lot 10, The Mobile Commerce Park Phase II and Lot 2, The Mobile Commerce Park Phase II Resubdivision of Lot 9, as recorded in Map Book 120, Page 94, said Probate Records, a distance of 1486.84 feet; thence South 00°-00'-00" West, 1047.10 feet; thence South 89°-43'-31" East, 712.57 feet; thence South 00°-24'-25" East, 580.00 feet; thence continue South 00°-24'-25" East, 92.00 feet, more or less, to the centerline of Rabbit Creek, said point hereinafter referred to as Point A; thence Southwardly and Westwardly along the meanders of said creek, 4572.00 feet, more or less, to a point hereinafter referred to as Point B (mathematical tie from Point A to Point B bears South 44°-24'-53" West, 2651.72 feet); thence North 89°-35'-36" West, along the North line of property conveyed by instrument recorded in Land Records Book 7288, Page 303 and property recorded in Instrument No. 2020071069, said Probate Records, a distance of 2333 feet; thence South 00°-03'-18" East, 1327.26 feet to a point on the North line of property now or formerly of Waste Management of Alabama, said point being on the South line of the Northwest Quarter of the Northwest Quarter of Section 2, Township 6 South, Range 2 West; thence North 89°-20'-25" West and along the South line of said Northwest Quarter of Northwest Quarter and a projection thereof, a distance of 2815.98 feet; thence North 02°-13'-44" East, 611.24 feet; thence South 90°-00'-00" East, 1415.30 feet; thence North 00°-45'-49" West, 60.00 feet; thence South 90°-00'-00" East, 45.00 feet; thence North 00°-00'-00" East, 100.00 feet; thence South 90°-00'-00" West, 100.00 feet; thence South 00°-00'-00" West 100.00 feet to a point on the Northern right-of-way line of Giblin Road (60 foot right-of-way); thence North 90°-00'-00" West and along said North right-of-way line, 1357.17 feet; thence North 02°-13'-44" East, 644.15

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feet; thence South 89°-35'-36" East, 1415.82 feet to the Southwest corner of Section 35, Township 5 South, Range 2 West; thence North 02°-15'-47" East and along the East line of property by instrument recorded in Land Records Book 7309, Page 985, said Probate Records, a distance of 1089.90 feet; thence South 89°-47'-19" West, 413.91 feet to a point on the Eastern right-of-way line of Todd Acres Road (100 foot right-of-way); thence North 44°-17'-45" East and along said East right-of-way line, 213.94 feet; thence North 89°-47'-19" East, 270.53 feet; thence North 02°-15'-47" East, 288.15 feet to a point on the South line of said Todd Acres Road; thence North 44°-17'-45" East and along said East right-of-way line, 286.34 feet to the PC of a 2914.93 foot radius curve to the left; thence Northwardly and Eastwardly along the area of said curve (chord bears North 29°-14'-08" East, 1502.31 feet), a distance of 1519.45 feet; thence North 14°-18'-39" East 1610.39 feet to a point on the South line of Lot 7, said Crigler Industrial Park; thence along the South line of said Lot 1, run South 75°-38'-03" East, 466.20 feet; North 89°-55'-06" East, 399.98 feet; thence North 00°-04'-59" West, 695.31 feet to the Point of Beginning. Said property contains 492.2 acres, more or less.

And

LOT 2

Commencing at the Northwest corner of Section 35, Township 5 South, Range 2 West, Mobile County, Alabama, run South 02°-13'-14" West and along the West line of said Section 35, a distance of 1376.75 feet to the Point of Beginning of the property herein described, said point being on the South right-of-way line of the Louisville and Nashville Railroad (100 foot right-of-way); thence South 02°-13'-49" West and along the West line of said Section 35, a distance of 925.00 feet; thence South 89°-53'-35" East, 30.02 feet; thence South 02°-13'-49" West, 1128.00 feet; thence South 42°-46'-11" East, 33.55 feet to a point on the Northern right-of-way line of Todd Acres Road (100 foot right-of-way); thence North 44°-18'-07" East and along said North right-of-way line, 94.77 feet to the PC of a 2814.93 foot radius curve to the left; thence Northwardly and Eastwardly along the arc of said curve (chord bears North 29°-14'-07" East, 1449.13 feet), a distance of 1465.63 feet; thence North 14°-20'-42" East and along said Northern right-of-way line, 1555.21 feet to a point on the South line of Crigler Industrial Park, as recorded in Map Book 128, Page 89, Probate Court Records, Mobile County, Alabama; thence North 75°-38'-46" West and along the South line of said subdivision, 649.42 feet to a point on the Eastern right-of-way line of said Louisville and Nashville Railroad; thence South 28°-33'-54" West and along said Eastern right-of-way line, 1052.01 feet to the Point of Beginning. The classification of said property is hereby changed from R-A, Residential-Agricultural District, B-5, Office-Distribution District, I-I, Light Industrial 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.

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

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

Nays: None

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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 2070 VICTORY DRIVE, W. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was read and introduced at the regular meeting of October 25, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 40-935-2022
Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at **2070 VICTORY DRIVE WEST** 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, 5, 6, 7, 8, 14 and 15;** and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at **2070 VICTORY DRIVE WEST** described as:

LOT 11 BLK 2 VICTORY PLACE MBK 3 P 658 #SEC 29 T4S R1W #MP29 09 29 4 003

Parcel Number: 29 09 29 4 003 074
Last Assessed to: FOOTE TRAVIS G & TIMOTHY J

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 to adopt the resolution, which was seconded by Councilmember Gregory, 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 THE STRUCTURE AT 2408 HART AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was read and introduced at the

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regular meeting of November 1, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 40-965-2022

Sponsored by: Councilmember Penn

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 **2408 HART 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. 3, 4, 5, 7, 8, and 14;** 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 2408 HART AVENUE described as:

LOT 17 BLK 1 FAIROAKS MBK 4 P 95 #SEC 44 T4S R1W #MP29 02 44 0 027

Parcel Number: 29 02 44 0 027 038

Last Assessed to: TATUM RUSSELL JR

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 to adopt the resolution, which was seconded by Councilmember Gregory, and the vote was as follows:

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

Nays:

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

RESOLUTIONS HELD OVER

APPROVE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO MEDEVAC ALABAMA, INC. TO OPERATE AN AMBULANCE SERVICE. The following resolution was read and introduced at the regular meeting of September 20, 2022, and held over until the regular meetings of September 27, 2022, and January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 37-834-2022

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Medevac Alabama, Inc., for a Certificate of Public Convenience and Necessity to operate an ambulance service is hereby approved. A copy of said application is on file in the office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved to hold the resolution over for 90 days, which was seconded by Councilmember Gregory, 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 held over for 90 days until the regular meeting of April 4, 2023.

APPROVE PURCHASE ORDER TO WARD INTERNATIONAL TRUCKS, LLC FOR 3 SHUTTLE TRUCKS FOR PUBLIC SERVICES, TRASH COLLECTION; \$341,730.00.

The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1111-2022

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
<u>882</u>	2023	(F7000) MOTOR POOL	3 2024 INTERNATIONAL MV607 SHUTTLE TRUCKS FOR PUBLIC SERVICES TRASH COLLECTION (SEALED BID 5738)	\$341,730.00	<u>(232872) WARD INTERNATIONAL TRUCKS LLC</u>

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 PURCHASE ORDERS FOR FUEL FOR VARIOUS CITY DEPARTMENTS.

The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1112-2022

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

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the indicated vendors in the approximate amount stated, and to approve the supporting bid award if required, for the following requisitions as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3061</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$22,454.90	(279229) PETROLEUM TRADERS CORPORATION
<u>3062</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$22,454.90	(279229) PETROLEUM TRADERS CORPORATION
<u>3064</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$22,454.90	(279229) PETROLEUM TRADERS CORPORATION
<u>3065</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$22,454.90	(279229) PETROLEUM TRADERS CORPORATION
<u>3051</u>	2023	(2050) FLEET MANAGEMENT GARAGE	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$17,201.59	(279229) PETROLEUM TRADERS CORPORATION
<u>3052</u>	2023	(2050) FLEET MANAGEMENT GARAGE	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$17,201.59	(279229) PETROLEUM TRADERS CORPORATION

<u>3053</u>	2023	(2050) FLEET MANAGEMENT GARAGE	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$17,201.59	(279229) PETROLEUM TRADERS CORPORATION
<u>3054</u>	2023	(2050) FLEET MANAGEMENT GARAGE	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$17,201.59	(279229) PETROLEUM TRADERS CORPORATION
<u>3056</u>	2023	(2050) FLEET MANAGEMENT GARAGE	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$17,201.59	(279229) PETROLEUM TRADERS CORPORATION
<u>3057</u>	2023	(2050) FLEET MANAGEMENT GARAGE	4 TH PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$17,201.59	(279229) PETROLEUM TRADERS CORPORATION
<u>3058</u>	2023	(2050) FLEET MANAGEMENT GARAGE	4 TH PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$17,201.59	(279229) PETROLEUM TRADERS CORPORATION
<u>3059</u>	2023	(2050) FLEET MANAGEMENT GARAGE	4 TH PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$17,201.59	(279229) PETROLEUM TRADERS CORPORATION
<u>3060</u>	2023	(2050) FLEET MANAGEMENT GARAGE	4 TH PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$17,201.59	(279229) PETROLEUM TRADERS CORPORATION

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

MINUTES OF JANUARY 3, 2023

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 PURCHASE ORDERS FOR FUEL FOR THE WAVE TRANSIT. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1113-2022

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
<u>3087</u>	2023	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$22,454.90	(279229) PETROLEUM TRADERS CORPORATION
<u>3088</u>	2023	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$22,454.90	(279229) PETROLEUM TRADERS CORPORATION
<u>3089</u>	2023	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$22,454.90	(279229) PETROLEUM TRADERS CORPORATION
<u>3090</u>	2023	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$22,454.90	(279229) PETROLEUM TRADERS CORPORATION

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 PURCHASE ORDER TO DS DIESEL SERVICES, LLC FOR REPLACEMENT ENGINE FOR STREET SWEEPER; \$29,827.27. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1114-2022

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

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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
<u>2493</u>	2023	(2050) FLEET MANAGEMENT – GARAGE	REPLACE ENGINE ON 2019 ELGIN PELICAN STREET SWEEPER (SEALED BID 5747)	\$29,827.27	<u>(291971) DS DIESEL SERVICES LLC</u>

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 PURCHASE ORDER TO K&K SYSTEMS, INC. FOR 2 ELECTRONIC SOLAR-POWERED TRAILER-MOUNTED LED MESSAGE SIGNS; TRAFFICE ENGINEERING; \$27,380.30. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1115-2022

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
<u>1887</u>	2023	(2060) TRAFFIC ENGINEERING	TWO ELECTRONIC SOLAR-POWERED, TRAILER-MOUNTED LED MESSAGE SIGNS FOR TRAFFIC ENGINEERING (GSA CONTRACT)	\$27,380.30	<u>(294556) K&K SYSTEMS INC</u>

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 PURCHASE ORDER TO SAFECO, INC. FOR ANNUAL RENEWAL FOR SAFETYPLUS MANAGEMENT AND TRAINING SOFTWARE; OFFICE OF PROFESSIONAL RESPONSIBILITY; \$19,200.00. The following resolution was read and

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introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1116-2022

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
<u>2775</u>	2023	(0535) OFFICE OF PROFESSIONAL RESPONSIBILITY	ANNUAL RENEWAL FOR SAFETYPLUS SAFETY MANAGEMENT AND TRAINING SOFTWARE (SEALED BID 5477)	\$19,200.00	<u>(296902) SAFECO INC</u>

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 PURCHASE ORDER TO VULCAN, INC. FOR ALUMINUM STREET SIGNS FOR TRAFFIC ENGINEERING DEPT.; \$60,440.00. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1117-2022

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
<u>1051</u>	2023	(2060) TRAFFIC ENGINEERING	2,150 ASSORTED ALUMINUM STREET SIGNS FOR TRAFFIC ENGINEERING (MOBILE COUNTY COOPERATIVE SEALED BID 63-22)	\$60,440.00	<u>(270972) VULCAN INC</u>

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

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

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Nays: None

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

APPROVE PURCHASE TO ORDER TO GLOBAL INDUSTRIES, INC. FOR FURNITURE FOR LAFAYETTE STREET RESOURCE CENTER; \$16,895.76. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1118-2022

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
<u>1737</u>	2023	(3500) NEIGHBORHOOD DEVELOPMENT	FURNITURE FOR LAFAYETTE ST CITY RESOURCE CENTER (TIPS COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$16,895.76	<u>(073476) GLOBAL INDUSTRIES INC</u>

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 PURCHASE ORDER TO KIMBALL INTERNATIONAL MARKETING, INC. FOR FURNITURE FOR LAFAYETTE STREET RESOURCE CENTER; \$32,050.50. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1119-2022

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:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1740</u>	2023	(3500) NEIGHBORHOOD DEVELOPMENT	FURNITURE FOR LAFAYETTE ST CITY RESOURCE CENTER (ALABAMA STATE CONTRACT)	\$32,050.50	<u>(282081)</u> <u>KIMBALL</u> <u>INTERNATIONAL</u> <u>MARKETING INC</u>

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 PURCHASE ORDER TO JASPER SEATING COMPANY, INC. FOR FURNITURE FOR LAFAYETTE STREET RESOURCE CENTER; \$18,012.58. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1120-2022

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
<u>1741</u>	2023	(3500) NEIGHBORHOOD DEVELOPMENT	FURNITURE FOR LAFAYETTE ST CITY RESOURCE CENTER (ALABAMA STATE CONTRACT)	\$18,012.58	<u>(282155) JASPER</u> <u>SEATING</u> <u>COMPANY INC</u>

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 PURCHASE ORDER TO SUNBELT FIRE, INC. FOR FIRE HELMETS AND ACCESSORIES FOR MFRD; \$29,928.00. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1122-2022

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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
<u>3290</u>	2023	(1510) FIRE ADMINISTRATION	86 FIRE HELMETS AND ACCESSORIES FOR MFRD (SEALED BID 5745)	\$29,928.00	(198904) <u>SUNBELT FIRE INC</u>

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 GENERAL FUND PUBLIC SERVICE MAINTENANCE TO PERFORMANCE CONTRACTS TO INCREASE PAYMENT TO PORT CITY CLASSIC; \$225,000.00. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 09-1123-2022

Sponsored by: Mayor Stimpson

WHEREAS, Brother Working Together, a domestic non-profit corporation, produces an annual event known as the Port City Classic (“the Event”); and,

WHEREAS, the City of Mobile general fund budget for 2022-2023 appropriates funds in the amount of \$225,000 as payment towards the Event; and,

WHEREAS, the City desires to increase its payment for the Event by the amount of \$225,000; and,

WHEREAS, the City desires to transfer funds from General Fund line item 10042086.40010 Public Service Maintenance to line item 10049070.42080 Performance Contracts to provide funding for the Event; and,

WHEREAS the City Council for the City of Mobile determines that the production of the Event serves a public purpose;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the city of Mobile hereby authorizes the transfer of funds in the amount of \$225,000 from General Fund line item 10042086.40010 to line item 10049070.42080 to increase funding for the Port City Classic to \$450,000.00 and that such additional funding serves a public purpose.

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

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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 KETOM CONSTRUCTION COMPANY, INC. FOR PARKING DECK REPAIRS-PHASE III AT THE MOBILE ALABAMA CRUISE TERMINAL; \$209,576.00. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-1124-2022

Sponsored by: Mayor Stimpson and Councilmember Carroll

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: KETOM CONSTRUCTION COMPANY INC.
Project Name: MOBILE ALABAMA CRUISE TERMINAL -
PARKING DECK REPAIRS - PHASE III

Project Number: CT-006-22

Amount: \$209,576.00

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 ARENA FIRE PROTECTION, INC. FOR SECURITY UPGRADES AT THE PUBLIC WORKS COMPLEX; \$16,700.00. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-1125-2022

Sponsored by: Mayor Stimpson and Councilmember Small

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: ARENA FIRE PROTECTION, INC.

Project Name: PUBLIC WORKS COMPLEX –
SECURITY UPGRADES – PHASE 2

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Project Number: PW-064-22

Amount: \$16,700.00

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 A CONTRACT WITH KENLEY RUSS FOR SERVICES AS A CYBER SPECIALIST – ANALYTICS FOR THE GULF COAST TECHNOLOGY CENTER; \$43,043.97 PER YEAR FOR 2 YEARS (FUNDING THROUGH THE FY22 JAG GRANT).

The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-1126-2022

Sponsored by: Mayor Stimpson

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

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 MELVIN PIERCE PAINTING, INC. FOR EXTERIOR RENOVATIONS AT THE BEN MAY MAIN LIBRARY; \$517,000.00.

The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-1127-2022

Sponsored by: Mayor Stimpson and Councilmember Carroll

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: MELVIN PIERCE PAINTING, INC.

Project Name: THE BEN MAY LIBRARY –

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EXTERIOR RENOVATIONS

Project Number: LI-051-21

Amount: \$517,000.00

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

ACCEPT PERMANENT SIDEWALK EASEMENTS FOR THE OLD SHELL ROAD SIDEWALK PROJECT. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 25-1128-2022

Sponsored by: Mayor Stimpson and Councilmember Daves

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City hereby accepts three Permanent Sidewalk Easements for the Old Shell Road Sidewalk Project, from:

1. Virginia Ann Tanner, on property located at 4467 Old Shell Road.
2. Clarke Brothers, LLC, on property located at 4503 Old Shell Road.
3. Inscript, LLC, on property located at 4501 Old Shell Road.

SAID documents being attached hereto and made a part hereof as fully as if set forth herein.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 THE MAYOR TO APPLY, ACCEPT AND RECEIVE A GRANT FROM THE ALABAMA DEPARTMENT OF TRANSPORTATION IN SUPPORT OF THE MOBILE METROPOLITAN PLANNING ORGANIZATION CARBON REDUCTION PROGRAM; \$2,500,000.00 (\$500,000.00 MATCH REQUIRED). The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 31-1129-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept, and receive a grant from the Alabama Department of Transportation in the amount of \$2,500,000.00 in support of the Mobile Metropolitan Planning Organization Carbon Reduction Program for Fiscal Year 2022 and 2023.

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BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the Alabama Department of Transportation. Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

BE IT FURTHER RESOLVED that the Council authorizes the expenditure of 20% matching funds in the amount of \$500,000.00 in the event this grant is received.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; WOOD. The following resolution was read and introduced at the regular meeting of December 20, 2022, and held over until the regular meeting of January 3, 2023, was called up by the Presiding Officer.

RESOLUTION: 60-1130-2022

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 Nedgie Renee Jean Wood, 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.

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

ORDINANCES BEING INTRODUCED

ORDINANCE TO ESTABLISH FILING FEES FOR LAND USE, ZONING, SUBDIVISION, AND BOARD OF ADJUSTMENT SUBMISSIONS. The following ordinance was held over until the regular meeting of January 10, 2023.

ORDINANCE: 01-001-2023

Sponsored by: Mayor Stimpson

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

SECTION ONE. That Chapter 2 of the Mobile City Code be, and the same hereby is, amended to add the following as Article IV:

ARTICLE IV

FEES FOR LAND USE, ZONING, SUBDIVISION, AND BOARD OF ADJUSTMENT SUBMISSIONS

Sec. 2-100. Planning Commission Applications. In addition to payment of the costs for mailing and publishing required notifications, Applications to the Planning Commission shall be accompanied by the payment of a fee according to the following schedule:

1. Application for Rezoning of Property	\$500.00
2. Application for Planned Development	\$500.00
3. Application for Conditional Use Permit	\$500.00
4. Application for Conditional Use Permit for above-ground oil storage tank per tank.....	\$1,500.00
5. Application for Conditional Use Permit For hazardous substance storage tank per tank.....	\$1,500.00
6. Application for Modification of Previously Approved Planning Approvals or Planned Unit Developments	\$500.00
7. Application for Text Amendments	\$500.00
8. Application for Amendment of Regulating Plan	\$500.00
9. Application for Approval of Minor Subdivision	\$250.00
10. Application for Subdivision Approval	\$500.00 base fee plus \$30.00 per lot
11. Application for Extension of Time made to the Planning Commission	\$100.00

Sec. 2-101. Board of Adjustment Applications and Appeals. In addition to payment of the costs for mailing and publishing required notifications, Applications and Appeals to the Board of Adjustment shall be accompanied by the payment of a fee according to the following schedule:

1. Application for Special Exception	\$500.00
2. Application for Variance (residentially utilized property)	\$250.00
3. Application for Variance (non-residential use or development)	\$500.00
4. Appeal of Administrative Zoning Decisions (residentially utilized property)	\$250.00
5. Appeal of Administrative Zoning Decisions (non-residential use or development)	\$500.00
6. Application for Extension of Time made to the Board of Adjustment	\$100.00

Sec. 2-102. Signs and Digital or Electronic Billboards. Applications for sign permits shall be accompanied by the payment of a fee according to the following schedule:

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- 1. Digital or Electronic Billboards: \$250.00 per structure, in addition to, and not in lieu of, any other fees, permits, or licenses required.
- 2. Permit fees. The following fees shall be payable prior to the issuance of a sign permit based upon the square footage of total copy size of each permanent sign as follows:
 - (a). Nonilluminated Signs: \$0.50 per square foot, but no less than \$10.00 per sign.
 - (b) Illuminated Signs: \$1.00 per square foot, but no less than \$25.00 per sign.
 - (c) Banners: \$20.00
 - (d) Sandwich Boards: \$25.00
- 3. Inventory Fee: There shall be a one-time inventory fee for each sign, except for Banners and Sandwich Boards, in the amount of \$15.00.
- 4. Reinspection Fee: There shall be a \$50.00 fee per reinspection necessary for any sign not found in compliance with the terms of the Unified Development Code or other applicable codes.

SECTION TWO: This Ordinance, and the fee schedules set herein, shall take effect after publication as required by law on the date that the Uniform Development Code becomes effective.

ORDINANCE TO AMEND CHAPTER 9 OF THE MOBILE CODE TO ADD A NEW ARTICLE ENTITLED “BOARD OF ADJUSTMENT.” The following ordinance was held over until the regular meeting of January 10, 2023.

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.

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 58-001 through 60-008 being introduced for the first time. The motion was seconded by Councilmember Jones, 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.

AUTHORIZE REMOVAL OF WEEDS, GROUP 1637. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-001-2023

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 20 described in the resolution adopted on the 29TH day of November, 2022, 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 20, as described in the resolution adopted on the 29TH day of November 2022 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.1637 on file in the office of the City Clerk).

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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.

WEED LIEN						
1637						Res. No.
11/29/2022	LOTS TO BE DECLARED					58-
1/3/2023	LOTS FOR PUBLIC HEARING					58-
//2022	LOTS TO BE ASSESSED FOR COST					58-
				Amount	Dis	N/A
No.	Address	SRO No.	CASE #	Assessed		CBO
1	2356 Hathcox St	22497	22505		1	
2	2353 Hart Ave	22496	22506		1	
3	1414 Persimmon St	29960	22507		2	
4	808 S. Washington Ave	21817	22508		3	
5	1070 Cottrell St	29670	22509		3	
6	757 Farnell St	30316	22510		5	
7	854 Marine St	29136	22511		3	
8	7106 Tenth St	22117	22512		7	
9	1201 Baltimore St	29631	22513		3	
10	1055 Marine St	21326	22514		3	
11	1632 Prairie Ave	29982	22515		3	
12	1004 Alba St	29720	22516		3	
13	612 Crawford Lane	10553	22517		2	
14	2308 Bullen St	22495	22524		1	
15	1154 Ghent St	29972	22518		2	
16	0 St Michael St	28362	22519		2	
	Par No. (29 06 40 0 010 008.XXX)					
17	1212 Barker Dr E	30424	22520		7	
18	258 Siena Vista St	13368	22521		1	
19	3116 Clubhouse Rd	29147	22522		3	
20	2763 Riverside Dr	21857	22523		3	
				\$ -		
District total for this group		Numbers of lots cut				
1	4		1			
2	4		2			
3	9		3			
4	0		4			
5	1		5			
6	0		6			
7	2		7			
	20		0			
*ADD Added in from other Groups		*CBC Cut By Contractor				
*CBO Cut By Owner		*UDL Undeveloped Lot				
*N/A Taken out by Inspector						

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

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

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Nays: None

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

AUTHORIZE REMOVAL OF WEEDS, GROUP 1638. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-002-2023

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 4 described in the resolution adopted on the 29th day of November, 2022, 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 4, as described in the resolution adopted on the 29th day of November 2022, 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.1638 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.

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WEED LIEN						
Group 1638 Woodlawn						Res. No.
11/29/2022	LOTS TO BE DECLARED					58-
1/3/2023	LOTS FOR PUBLIC HEARING					58-
//2022	LOTS TO BE ASSESSED FOR COST					58-
No.	Address	SRO No.	Case #	Amount Assessed	Dis	N/A CBO
1	1040 Dauphin Island Parkway	22481	22555		3	
2	2102 Woodlawn Dr S	22494	22556		3	
3	2056 Woodlawn Dr S	22487	22557		3	
4	1050 Woodlawn Dr W	22482	22558		3	
District total for this group		Total		\$ -		
1	0	Numbers of lots cut				
2	0					
3	4					
4	0					
5	0					
6	0					
7	0					
				0		
*ADD Added in from other Groups						
*CBO Cut By Owner						
out by Inspector						

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Jones, 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 THE MAYNARD 4 FOUNDATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-003-2023

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate \$619.00 to The Maynard 4 Foundation, from his discretionary funds; and

WHEREAS, The Maynard 4 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

WHEREAS, the Mobile City Council determines that this appropriation to The Maynard 4 Foundation, will be used to assist with scholarship funding for the Miss Juneteenth

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scholarship pageantry program on June 16-18, 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 **\$619.00 to The Maynard 4 Foundation** 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 Jones, 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 CC'S CLASSIC CATERING SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-004-2023

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wishes to appropriate \$2,618.75 to CC's Classic Catering, LLC, from his discretionary funds; and WHEREAS, CC's Classic Catering, LLC, is an Alabama domestic company 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 CC's Classic Catering, will be used to assist with the overage of the District 3 holiday celebration at Maryvale Elementary School on December 13, 2022, 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 **\$2,618.75 to CC's Classic Catering, LLC**, 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 Jones, 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 THE UNITED WAY OF SOUTHWEST ALABAMA, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

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RESOLUTION: 60-005-2023

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wishes to appropriate \$1,000.00 to The United Way of Southwest Alabama, Inc., from his discretionary funds; and

WHEREAS, The United Way of Southwest Alabama, 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 The United Way of Southwest Alabama, Inc., will be used to support their 2022 Annual Community Campaign by assisting the City of Mobile residents with their health and human service 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 **\$1,000.00 to The United Way of Southwest Alabama, 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 Jones, 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 FEEDING THE GULF COAST SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-006-2023

Sponsored by: Councilmember Daves

WHEREAS, Councilmember Daves wishes to appropriate \$5,000.00 to Feeding the Gulf Coast, from his discretionary funds; and

WHEREAS, Feeding the Gulf Coast, 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 Feeding the Gulf Coast will be used to support their hunger relief efforts, 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 **\$5,000.00 to Feeding the Gulf Coast** 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

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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 Jones, 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 AZALEA CITY CDC, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-007-2023

Sponsored by: Councilmember Gregory

WHEREAS, Councilmember Gregory wishes to appropriate \$250.00 to Azalea City CDC, Inc. (Azalea City Community Development Corporation, Inc.) from her discretionary funds; and

WHEREAS, Azalea City CDC, Inc. (Azalea City Community Development Corporation, 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 Azalea City CDC, Inc. (Azalea City Community Development Corporation, Inc.) will be used to assist with the food pantry and soup kitchen, 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 **\$250.00 to Azalea City CDC, Inc. (Azalea City Community Development Corporation, 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 Jones, 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 CC'S CLASSIC CATERING SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-008-2023

Sponsored by: Councilmember Gregory

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WHEREAS, Councilmember Gregory wishes to appropriate \$1,047.50 to CC's Classic Catering, LLC, from her discretionary funds; and

WHEREAS, CC's Classic Catering, LLC, is an Alabama domestic company 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 CC's Classic Catering, will be used to assist with the buffet dinner overage of the District 7 Christmas celebration at Mobile Museum of Art on December 5, 2022, 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 **\$1,047.50 to CC's Classic Catering, LLC**, 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 Jones, 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

AUTHORIZE THE CERTIFICATE OF MAYOR APPROVAL AND RESOLUTION FOR APPOINTMENT OF DIRECTORS TO THE ALABAMA SCHOOL OF MATH AND SCIENCE. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 03-009-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Certificate of Mayor Approval and Resolution for Appointment of Directors to the Alabama School of Math and Science, and to perform all acts necessary in connection therein, attached hereto and made a part hereof as though set forth in full. A copy of said documents are on file in the office of the City Clerk.

APPROVE PURCHASE ORDER TO GLOBAL INDUSTRIES, INC. FOR FURNITURE FOR FIRE TRAINING CENTER; \$21,892.63. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 08-010-2023

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

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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
<u>3321</u>	2023	(1510) FIRE ADMINISTRATION	FURNTIURE FOR FIRE TRAINING CENTER PORTABLE BUILDING (TIPS COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$21,892.63	<u>(073476) GLOBAL INDUSTRIES INC</u>

APPROVE PURCHASE ORDER TO SANSOM EQUIPMENT CO., INC. FOR SIX 18- FEET DUMP TRAILERS FOR TRASH DEPT.; \$297,774.00. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 08-011-2023

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:

Requisitions	Fiscal Year	Department	Description	Amount	Vendor
<u>884, 3239</u>	2023	(F7000) MOTOR POOL	6 RAMER-MILES 18FT DUMP TRAILERS FOR TRASH DEPARTMENT (SEALED BID 5740)	\$297,774.00	<u>(190715) SANSOM EQUIPMENT CO INC</u>

APPROVE PURCHASE ORDER TO CDW GOVERNMENT, LLC FOR SURFACE PRO TABLETS AND ACCESSORIES; POLICE ADMIN. SERVICES; \$152,279.28. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 08-012-2023

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:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3326</u>	2023	(1530) POLICE ADMIN SERVICES	8 SURFACE PRO TABLETS AND ACCESSORIES (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT AT PRICE LESS THAN STATE CONTRACT)	\$15,279.28	<u>(272932) CDW GOVERNMENT LLC</u>

APPROVE PURCHASE ORDER TO ARCADIS US, INC. FOR EQUIPMENT AND INSTALLATION OF VEHICLE DETECTION EQUIPMENT FOR 10 INTERSECTIONS ON AIRPORT BOULEVARD; \$371,555.20. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 08-013-2023

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
<u>3364</u>	2023	(2060) TRAFFIC ENGINEERING	PROVIDE AND INSTALL ITERIS VANTAGE VIDEO VEHICLE DETECTION EQUIPMENT FOR 10 AIRPORT BLVD INTERSECTIONS FOR TRAFFIC ENGINEERING DEPARTMENT (AL STATE CONTRACT)	\$371,555.20	<u>(297773) ARCADIS US INC</u>

APPROVE PURCHASE ORDER TO STONS, INC. FOR 1 YEAR SUBSCRIPTION FOR WORKFLOW MANAGEMENT SOFTWARE FOR MIT; \$65,664.00. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 08-014-2023

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:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3612</u>	2023	(5000) INFORMATION TECHNOLOGY	ONE-YEAR SUBSCRIPTION FOR MONDAY.COM WORKFLOW MANAGEMENT SOFTWARE FOR MIT (GSA CONTRACT)	\$65,664.00	<u>(297526) STONS INC</u>

APPROVE PURCHASE ORDER TO LCM MOTORCARS, LLC FOR 2021 DODGE CHARGER AND 2022 CHEVROLET CREW CAB PICK-UP TRUCK FOR MPD CYBER DIVISION; \$105,550.00. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 08-015-2023

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:

Requisitions	Fiscal Year	Department	Description	Amount	Vendor
<u>2405, 2420</u>	2023	(1545) POLICE CYBER DIVISION	2021 DODGE CHARGER STX AND 2022 CHEVROLET 2500HD CREW CAB PICKUP TRUCK FOR MPD CYBER DIVISION (SEALED BID 5749)	\$105,550.00	<u>(297939) LCM MOTORCARS LLC</u>

APPROVE PURCHASE ORDER TO CELLEBRITE, INC. FOR FORENSIC PRODUCT TRAINING FOR MPD; \$22,274.10. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 08-016-2023

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
<u>2713</u>	2023	(1545) POLICE CYBER DIVISION	FORENSIC PRODUCT TRAINING FOR MPD CYBER (SOLE SOURCE, PROFESSIONAL SERVICE)	\$22,274.10	<u>(293683) CELLEBRITE INC</u>

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AUTHORIZE CONTRACT WITH WRICO SIGNS, INC. FOR NEW PARK SIGNS AT VARIOUS CITY PARKS; \$38,727.00. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 21-017-2023

Sponsored by: Mayor Stimpson and Councilmembers Penn, Carroll, 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 though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: WRICO SIGNS, INC.

Project Name: NEW PARK SIGNS - PHASE 2

Project Number: PR-081-22

Amount: \$38,727.00 COMBINED TOTAL:

SULLIVAN PARK	C0744	\$10,462.00	D2
TRICENTENNIAL PARK	C0808	\$9,900.00	D1
RICKARBY PARK	C0807	\$7,095.00	D2
HILLSDALE PARK	C0809	\$11,270.00	D7

AUTHORIZE CHANGE ORDER WITH JAMES H. ADAMS & SON CONSTRUCTION COMPANY, INC. FOR ANN STREET REHABILITATION PROJECT; \$26,262.00. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 21-018-2023

Sponsored by: Mayor Stimpson and Councilmember Small

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. 3 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: James H. Adams & Son Construction Company Inc.

Project Name: Ann Street Rehabilitation
COM Project No. 2011-202-10(B1)
Change Order No. 3

Estimated Cost: \$26,262.00 (Add)

AUTHORIZE CONTRACT WITH SAWGRASS CONSULTING, LLC FOR 2022 PAYGO RESURFACING; \$818,550.00. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 21-019-2023

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

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, 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: Sawgrass Consulting, LLC

Project Name: 2022 PAYGO Resurfacing – Countywide & Commission
District 1 – COM Project No. 2023-3005-4

Estimated Cost: \$818,550.00

AUTHORIZE CONTRACT WITH SOUTHERN EARTH SCIENCES, INC. FOR 2022 PAYGO RESURFACING; \$165,000.00. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 21-020-2023

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: Southern Earth Sciences, Inc.

Project Name: 2022 PAYGO Resurfacing – Countywide & Commission
District 1 – COM Project No. 2023-3005-04

Estimated Cost: \$165,000.00

AUTHORIZE CONTRACT WITH HARRIS CONTRACTING SERVICES, INC. FOR NEW RESTROOMS AND RENOVATIONS AT LANGAN AND PUBLIC SAFETY MEMORIAL PARKS; \$3,312,827.00. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 21-021-2023

Sponsored by: Mayor Stimpson and Councilmembers Daves 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 though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: HARRIS CONTRACTING SERVICES, INC.

Project Name: LANGAN PARK – AMPHITHEATER PAVILION &
RESTROOM (PR-031-21)

PUBLIC SAFETY MEMORIAL PARK – RESTROOM
SKATEBOARD PARK & SPLASH PAD (PR-093-21)

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Amount: \$1,837,827.00 C0531
 \$1,475,000.00 C0691
 \$3,312,827.00 TOTAL CONTRACT VALUE

AUTHORIZE CONTRACT WITH MINNIKIN RESOURCES, INC. TO PROVIDE REVIEW AND CONSULTATION OF CITY BOARDS AND COMMISSIONS; NTE \$80,000.00. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 21-022-2023

Sponsored by: Mayor Stimpson

WHEREAS, the City Council and Mayor of the City of Mobile appoint members of multiple boards and commissions which conduct business of the City of Mobile; and

WHEREAS, it is in the public interest that said boards and commissions operate efficiently with guidance, consultation and training from a consultant with expertise on board governance; and

WHEREAS, the City of Mobile seeks to enter into a contract with Minnikin Resources, Inc., not to exceed a total of \$80,000.00, to provide review and consultation regarding the City boards and commissions in order to improve and maximize their efficiency; now therefore

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, the "Professional Services Contract" with Minnikin Resources, Inc., not to exceed a total of \$80,000.00 in fees and expenses, and further to perform all acts necessary in connection with said Contract, which contract, or one substantially identical thereto, is attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

AUTHORIZE CONTRACT WITH WAS DESIGN, LLC FOR LANDSCAPE ARCHITECTURAL SERVICES FOR NEW PICKLEBALL COURTS AT LAVRETTA PARK; \$73,250.00. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 21-023-2023

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: WAS DESIGN, LLC

Project Name: LAVRETTA PARK – PICKLEBALL COURTS

Project Number: PR-073-22

Amount: \$73,250.00

AUTHORIZE CONTRACT WITH PFM GROUP FOR A THIRD-PARTY VALIDATION STUDY REGARDING ALTERING THE CORPORATE LIMITS OF THE CITY OF MOBILE. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 21-024-2023

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Sponsored by: Mayor Stimpson and Councilmember Small

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 PFM Group, for a third-party validation study regarding altering the corporate limits of the city of Mobile 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.

APPROVE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO ARMSTEAD MORTUARY TRANSIT SERVICE TO OPERATE A SHUTTLE SERVICE.

The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 37-025-2023

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Southwest Chapter of Armstead Mortuary Transit Service, for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

APPROVE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BABY B'S TRANSPORTATION TO OPERATE A SHUTTLE SERVICE. The following resolution was held over until the regular meeting of January 10, 2023.

RESOLUTION: 37-026-2023

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Baby B's Transportation for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 1710 DAUPHIN ISLAND PARKWAY, 2005 & 2009 DOUGLAS LANE, AND 2008 FAYE STREET FROM R-1 AND B-2 TO B-2 (SCHEDULED FOR JANUARY 24, 2023) (DISTRICT 3). The following ordinance was introduced by Councilmember Daves.

ORDINANCE: 41-027-2023

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

Notice of Public Hearing for the Proposed Rezoning of Property Located at 1710 Dauphin Island Parkway, 2005 & 2009 Douglas Lane, and 2008 Faye Street (Southwest corner of Dauphin Island Parkway and Douglas Lane, extending to the Northwest corner of Dauphin Island Parkway and Faye Street)

Pursuant to Resolution of the Mobile, Alabama City Council adopted December 14, 2021, a public hearing will be held on the 24th day of January, 2023, at 10:30 a.m., to consider adoption of an ordinance to rezone property located at 1710 Dauphin Island Parkway, 2005 & 2009 Douglas Lane, and 2008 Faye Street (Southwest corner of Dauphin Island Parkway and Douglas Lane, extending to the Northwest corner of Dauphin Island Parkway and Faye Street) from R-1, Single-family Residential District and B-2, Neighborhood Business District, to B-2, Neighborhood Business District. The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All

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persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant and may take other actions allowed by law.

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:

THAT CERTAIN PIECE OF PORTION OF LAND, DESIGNATED AS PARCEL 1 OF RESUBDIVISION OF LOTS 6, 7, 10, & 11 AND PARCELS A & B, BLOCK 2 OF HAKANSON SUBDIVISION, SITUATED IN SECTION 34, TOWNSHIP 5 SOUTH, RANGE 1 WEST, MOBILE COUNTY, ALABAMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" CAPPED IRON ROD FOUND ON THE SOUTHERLY RIGHT OF WAY LINE OF DOUGLAS LANE AND WESTERLY RIGHT OF WAY OF DAUPHIN ISLAND PARKWAY S00°09'55"W A DISTANCE OF 94.92 FEET TO A 5/8" CAPPED IRON ROD FOUND; THENCE ALONG SAID WESTERLY RIGHT OF WAY OF DAUPHIN ISLAND PARKWAY S12°39'26"E A DISTANCE OF 229.86 FEET TO A 5/8" CAPPED IRON ROD SET ON THE SAID WESTERLY RIGHT OF WAY LINE OF DAUPHIN ISLAND PARKWAY AND NORTHERLY RIGHT OF WAY LINE OF FAYE STREET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE OF DAUPHIN ISLAND PARKWAY AND ALONG SAID NORTHERLY RIGHT OF WAY LINE OF FAYE STREET N89°40'5r"W A DISTANCE OF 174.58 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY OF FAYE STREET N00°05'11"W A DISTANCE OF 147.22 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE S85°30'51"W A DISTANCE OF 24.18 FEET TO A ½" IRON ROD WITH FLAGGING FOUND; THENCE N00°21'50"W A DISTANCE OF 142.41 FEET TO A 1" CRIMPED IRON PIPE -FOUND ON THE SOUTHERLY RIGHT OF WAY LINE OF DOUGLAS LANE; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF DOUGLAS LANE N81°20'11"E A DISTANCE OF 99.92 FEET TO A 1/2" CAPPED IRON ROD FOUND; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF DOUGLAS LANE N83°07'41"E A DISTANCE OF 102.29 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF DOUGLAS LANE N88°38'13"E A DISTANCE OF 23.89 FEET TO A MAG NAIL FOUND; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF DOUGLAS LANE N88°36'03"E A DISTANCE OF 94.34 FEET TO THE POINT OF BEGINNING.

The classification of said property is hereby changed from R-1, Single-Family Residential District and B-2, Neighborhood Business District to B-2, Neighborhood 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 B-2, Neighborhood Business 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 B-2, Neighborhood 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.

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

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

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

Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as January 24, 2023.

ANNOUNCEMENTS

Councilmember Carroll stated that the annual counting of the homeless population will be on January 24, 2023, and more information will be coming out in his newsletter.

Councilmember Daves stated that the City Council will be participating with Mobile United to have a citywide cleanup on January 14, 2023. The clean-up area in District 5 will be the ditch between Walmart and Cracker Barrel on the Beltline.

Councilmember Reynolds said that District 4 will be participating in the Mobile United Day of Service clean-up. The clean-up area will be located off of Coco-Cola Road.

Councilmember Penn announced that District 3 will be participating in the Mobile United Day of Service clean-up.

Councilmember Gregory thanked Smith Memorial AME Church for hosting a ham giveaway that she sponsored right before Christmas.

Councilmember Gregory said that the District 7 clean-up area will be on Zeigler Boulevard and Athey Road.

Councilmember Small announced that the Oakdale Community Action Group meeting will be on January 10, 2023, at Smalls Mortuary at 5:00 p.m.

Councilmember Small stated that the Riverside Community Action Group will reconvene on January 10, 2023, at the new police precinct on Dauphin Island Parkway, at 5:00 p.m.

Councilmember Small said that District 3 will be participating in the Mobile United Day of Service clean-up and that more information will be coming in his newsletter.

Councilmembers Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory wished the citizens of Mobile a happy new year.

James Barber, Chief of Staff, reported that the shooting that occurred downtown on New Year's Eve was an active criminal investigation and suggested the Council go into executive session in order to discuss it further.

Ricardo Woods, City Attorney, gave an oral declaration stating that the information in the criminal investigation does meet the qualifications for executive session under the open meetings act I pursuant to 36-25;8-7.

Ricardo Woods asked for a roll call vote to go into executive session and asked the Council to let the Administration know if they would like to reconvene this meeting.

Councilmember Daves moved to go into executive session and not reconvene the regular meeting, which was seconded by Councilmember Gregory and the vote was as follows:

Penn: Aye

Carroll: Aye

Small: Aye

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Reynolds: Aye
Daves: Aye
Jones: Aye
Gregory: Aye

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:12 p.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK