

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 20, 2022

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, December 20, 2022, 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

HISTORY MUSEUM OF MOBILE, MOBILE, ALABAMA, DECEMBER 20, 2022

The City Council of the City of Mobile, Alabama, met at the History Museum of Mobile on Tuesday, December 20, 2022, at 10:30 a.m., for the regular meeting.

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

William S. Stimpson, Mayor of Mobile, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: Councilmember Gregory asked for a moment of silence for Dr. Joaquin Holloway, Jr. and Mark Fillers that recently passed away.

Present on Roll Call:

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

NOTE: Councilmember Small introduced the children's choir of Revelation Missionary Baptist Church School to sing.

STATEMENT OF RULES BY PRESIDING OFFICER

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

COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson wished a merry Christmas and happy holidays to the citizens of Mobile.

Mayor Stimpson asked Meg McCrummen Fowler, Director of the History Museum of Mobile, to stand and recognized her and thanked her for the opportunity to have the City Council meeting at the Museum.

Mayor Stimpson congratulated Debra Velders on her accomplishments and retirement from the Mobile Museum of Art.

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Mayor Stimpson stated that Santa will be at the Mobile Fire and Rescue Department today from 12:00 p.m. to 2:00 p.m.

Mayor Stimpson announced that citizens can drop off old Christmas trees for recycling at James Seals Park and Municipal Park after Christmas.

Mayor Stimpson announced that Broad Street was opened completely yesterday and thanked everyone involved in that project.

Jeremy Lami, Chief of the Mobile Fire and Rescue Department, and Randy Jackson presented the following employees of the month:

1. Derrick Butler, Driver
2. Dennis Erdmann, Firefighter
3. Robert Synder, Officer of the Month

PRESENTATIONS FROM THE COUNCIL:

Councilmember Gregory presented a resolution to Debra Velders, congratulating her on her accomplishments and retirement as the Director of the Mobile Museum of Art.

ADOPTION OF THE AGENDA:

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

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

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

APPEALS

Request of Archdiocese of Mobile for a waiver of the Noise Ordinance at Cooper Riverside Park on March 17, 2023, from 3:00 p.m. – 8:00 p.m. (District 2).

Councilmember Carroll moved to grant the waiver, 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.

PUBLIC HEARINGS

PUBLIC HEARING TO 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 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing 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 and asked if there was anyone present to speak for or against this matter.

Gloria Casher, Mobile, AL, expressed her concern about this rezoning application

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 TO REZONE PROPERTY LOCATED AT 6137 TODD ACRES DRIVE FROM R-A, B-5, I-1, AND I-2 TO I-2 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 6137 Todd Acres Drive from R-A, B-5, I-1, and I-2 to I-2 and asked if there was anyone present to speak for or against this matter.

Charles Tisher, 3901 Springhill Avenue, a representative for the developer, stated that the developer was committed to having full transparency and is willing to work with the residents.

The Presiding Officer declared the hearing concluded and that the necessary ordinance authorizing the proper action would be introduced later in the meeting.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

Timothy Hollis, 1924 Seale Street, offered comments in support of resolution 09-1123.

Reggie Hill, 1007 Center Street, requested to hold over resolution 02-1134 to allow for public input.

NON-AGENDA ITEMS:

Meg McCrummen Fowler, Director of the History Museum of Mobile, introduced a few members of the Board of Directors of the History Museum of Mobile and provided updates on recent developments at the History Museum.

Valerie Longa, Public Relations Officer at the Mobile Public Library, 6621 Hounds Run S., provided information about a history exhibit for the Library's 120th Anniversary.

Jeremy Howard, 3018 Pier Point Drive, requested funding for a high school football game at Ladd Peebles Stadium on January 28, 2023.

Brandon Beaird, 5 Hillwood Road, had questions about the removal of concrete pavers on the driveway at 5 Hillwood Road.

ORDINANCES HELD OVER

ORDINANCE TO AMEND CHAPTER 1 OF THE MOBILE CITY CODE TO ADD NEW ARTICLE III "ALTERATION OF CORPORATE LIMITS". The following ordinance which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

ORDINANCE: 83-068-2022

Sponsored by: Councilmembers Penn, Carroll, and Small

BE IT ORDAINED by the City Council for the City of Mobile, Alabama as follows:

Section One. Chapter 1, of the Mobile City Code 1991 is hereby amended to add a new Article III entitled "Alteration of Corporate Limits" as follows:

1. FINDINGS

A. The decision to increase or decrease the land area of a city is primarily a legislative decision, to be exercised in accordance with the procedures set forth in the Code of Alabama.

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B. State law authorizes four different methods by which cities may annex, or increase, the boundaries of its corporate limits:

- i. by local legislative act;
- ii. by consent of persons owning at least 60 percent of the acreage of the platted or unplatted land to be annexed, Ala. Code §11-42-1 through §11-42-6;
- iii. by unanimous consent, as set out in Ala. Code §11-42-20 through §11-42-24; or,
- iv. by special election initiated by council resolution. Ala. Code § 11-42- 40 through §11-42-88.

C. There are two different methods by which municipalities may de-annex, or reduce, the boundaries of its corporate limits.

- i. by local legislative act; or
- ii. by resolution of the council as set out in Ala. Code §11-42-200 through §11-42-213.

D. The decision to alter the corporate limits will necessarily involve weighing of benefits and burdens. A key consideration is whether the City will be able to function, i.e., to sustain a reasonable level of service over the long term. To do so, the City must have revenues that meet and exceed its expenses. It is therefore prudent that the council be provided sufficient information to ensure that its decision is informed, transparent, and fact-based.

2. PROCEDURE

A. Feasibility Study required. Annexations shall require a feasibility study which shall include the following minimum information:

- i. A map of the area being considered for annexation (“study area”) that illustrates the existing and proposed boundaries of the corporate limits and police jurisdiction.
- ii. A parcel map illustrating the current boundaries of properties in the study area and showing the contiguous parcels within the corporate limits. The following information shall also be provided:
 - a. Current land use and/or zoning for each parcel (e.g. residential, business, unimproved, parkland or agricultural).
 - b. Stormwater facilities, water and amp; sewer availability, septic systems.
 - c. Identification of lands that are environmentally sensitive, wetlands, wildlife habitat, or that contain historic and cultural resources.
 - d. Identification of all non-conforming uses that will be created by the annexation.
 - e. Proposed land uses including type and density of residential areas
- iii. An inventory of services that are currently being provided to the study area and the identity of the service provider, including utilities, police, fire and 911 emergency response, subdivision approval, building permits and inspections, libraries, parks, trails, and open space.
- iv. Identification of services that will be assumed by the City of Mobile and provided and a projected timetable of the provision of such services.
- v. Linear feet of public roads, condition of existing streets, and whether such roads have sidewalks or otherwise meet City engineering standards.
- vi. Current revenue generated, including taxes, business licenses and other fees.

B. COST BENEFIT ANALYSIS

A cost benefit analysis shall be provided showing whether the City has the current capability to provide services, and the costs of assuming the service over the next fifteen years, including:

- i. The projected revenues, taxes, and fees.
- ii. The anticipated expenses including expected new employees and equipment for City police and fire, building inspections, public works, stormwater management, libraries, parks and recreational facilities.
- iii. The cost of street maintenance, trash and solid waste removal.
- iv. The tax consequences to the property owners in the area to be annexed, as well as the property owners within the city, including increased fees for such services planning, zoning and code enforcement.
- v. Where assumptions are made, the source data supporting such assumptions shall be provided.

3. OTHER INFORMATION

Additional information shall be provided showing whether the proposed annexation:

- i. will eliminate or avoid creating islands and peninsulas of incorporated territory;
- ii. will consolidate overlapping functions of government;
- iii. will encourage equitable distribution of community resources and obligations;
- iv. will promote efficient delivery of services;
- v. will have a negative impact due to the condition of existing roads and habitable structures that are below city standards.

4. DEMOGRAPHICS

Information on projected demographic changes for the city in its entirety shall be provided.

5. COMMUNITY MEETINGS

A. In order to actively seek public participation and maximize public input, the Council and or the Administration will conduct a community meeting in each of the seven council districts (the "Community Meetings").

B. The Community Meetings will be held at a time and place determined by the Council and/or the Administration; provided, however, all Community Meetings shall begin no sooner than 5 p.m. except when requested by a significant number of citizens to hold the meeting during regular business hours.

C. Community Meetings will be open to the public so that all citizens may provide comments about the proposed annexation.

Section Two. This ordinance shall be in full force and effect on and after its adoption and publication as required by law.

The ordinance was read by the City Clerk; whereupon Councilmember Carroll moved to table the ordinance, which was seconded by Councilmember Daves, 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 ordinance tabled.

RESOLUTIONS HELD OVER

PROPOSE STUDY OF “ALTERATION OF CORPORATE LIMITS”. The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 02-1086-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council for the City of Mobile, Alabama as follows:

1. FINDINGS

A. Annexation increases the land area of a city according to the procedures set out in the Code of Alabama.

B. State law authorizes four different methods by which cities may annex, or increase, the boundaries of its corporate limits:

i. by local legislative act;

ii. by consent of persons owning at least 60 percent of the acreage of the platted or unplatted land to be annexed, Ala. Code §11-42-1 through §11-42-6;

iii. by unanimous consent, as set out in Ala. Code §11-42-20 through §11-42-24; or,

iv. by special election initiated by council resolution. Ala. Code § 11-42-40 through §11-42-88.

C. There are two different methods by which municipalities may de-annex, or reduce, the boundaries of its corporate limits.

i. by local legislative act; or

ii. by resolution of the council as set out in Ala. Code §11-42-200 through §11-42-213.

D. The decision to alter the corporate limits will necessarily involve weighing of benefits and burdens. A key consideration is whether the City will be able to function, i.e., to sustain a level of services comparable to existing services. To do so, the City projected revenues should meet or exceed projected expenses. It is therefore prudent that the council decision is informed, transparent, and fact-based.

2. PROCEDURE

A. Feasibility Study required. Annexations require a feasibility study which shall include the following minimum information:

i. A map of the area being considered for annexation (“study area”) that illustrates the existing and proposed boundaries of the corporate limits and police jurisdiction.

ii. A parcel map illustrating the current boundaries of properties in the study area and showing the contiguous parcels within the corporate limits. The following information shall also be provided:

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a. Current land use for each parcel as provided in the tax assessment records of the Mobile County Revenue Commissioner (e.g. residential, business, unimproved, parkland or agricultural).

b. Areas serviced by MAWSS

c. FEMA Flood Maps for the study area

iii. An inventory of services that are currently being provided to the study area and the identity of the service provider, including police, fire and 911 emergency response.

iv. Identification of services the City of Mobile will provide and a projected timetable of the provision of such services.

v. Miles of public roads in study area

Current revenue generated, including taxes and business licenses

B. COST BENEFIT ANALYSIS

A cost benefit analysis shall be provided showing whether the City has capability to provide services, and the estimated costs of assuming the service over the next ten years, including:

i. The projected revenues, taxes, and fees.

ii. The anticipated expenses including expected new employees and equipment for City police and fire, building permits, and stormwater management.

iii. The cost of street maintenance, trash and solid waste removal.

iv. The tax consequences to the property owners in the area to be annexed, as well as the property owners within the city.

v. Where assumptions are made, the source data supporting such assumptions shall be provided.

3. OTHER INFORMATION.

Additional information shall be provided showing whether the proposed annexation:

i. will eliminate or avoid creating islands and peninsulas of incorporated territory;

ii. will consolidate overlapping functions of government;

iii. will encourage equitable distribution of community resources and obligations;

iv. will promote efficient delivery of services;

v. will have a negative impact due to the condition of existing roads and habitable structures that are below city standards.

4. DEMOGRAPHICS

Information on projected demographic changes for the city in its entirety shall be provided.

The resolution was read by the City Clerk; whereupon Councilmember Carroll moved to table the resolution, which was seconded by Councilmember Daves 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 tabled.

APPROVE PURCHASE ORDER TO STONS, INC. FOR ONE YEAR SUBSCRIPTION FOR WORKFLOW MANAGEMENT SOFTWARE FOR MPD; \$49,476.00. The following resolution which was read and introduced at the regular meeting of December 13, 2022, and held over until the regular meeting of December 20, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1094-2022

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>2777</u>	2023	(1545) POLICE CYBER DIVISION	ONE YEAR SUBSCRIPTION FOR MONDAY.COM WORKFLOW MANAGEMENT SOFTWARE FOR MPD CYBER (GSA CONTRACT)	\$49,476.00	<u>(297526) STONS INC</u>

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

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

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

APPROVE PURCHASE ORDER TO MIKE HOFFMAN EQUIPMENT SERVICES, INC. FOR DEMOLITION, REMOVAL, AND REPLACEMENT FOR FUEL LEAK IDENTIFICATION AND REPAIR AT CITY GARAGE; \$48,989.00. The following resolution which was read and introduced at the regular meeting of December 13, 2022, and held over until the regular meeting of December 20, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1095-2022

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>2960</u>	2023	(2050) FLEET MANAGEMENT-GARAGE	CONCRETE DEMOLITION, REMOVAL, REPLACEMENT FOR FUEL LEAK IDENTIFICATION AND REPAIR AT CITY GARAGE FUEL STATION (PUBLIC WORKS UNDER \$50K, SAFETY AND ENVIRONMENTAL EMERGENCY REMEDIATION)	\$48,989.00	<u>(85814) MIKE HOFFMAN EQUIPMENT SERVICES INC</u>

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

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

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

APPROVE PURCHASE ORDER TO MIKE HOFFMAN EQUIPMENT SERVICES, IN. FOR 2 NEW FUEL DUAL-HOSE DISPENSERS AT CITY GARAGE; \$21,005.00. The following resolution which was read and introduced at the regular meeting of December 13, 2022, and held over until the regular meeting of December 20, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1096-2022

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>2916</u>	2023	(2050) FLEET MANAGEMENT-GARAGE	FURNISH AND INSTALL TWO NEW FUEL DUAL-HOSE DISPENSERS AT CITY GARAGE (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT)	\$21,005.00	<u>(85814) MIKE HOFFMAN EQUIPMENT SERVICES INC</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO KASEWARE FOR ANNUAL SUBSCRIPTION FOR KASEWARE INVESTIGATION MANAGEMENT SOFTWARE FOR MPD; \$36,000.00. The following resolution which was read and introduced at the regular meeting of December 13, 2022, and held over until the regular meeting of December 20, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1097-2022

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>2743</u>	2023	(1530) POLICE ADMIN SERVICES	ANNUAL SUBSCRIPTION FOR KASEWARE INVESTIGATION MANAGEMENT SOFTWARE FOR MPD (SEALED BID 5567)	\$36,000.00	<u>(297346) KASEWARE</u>

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

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

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

APPROPRIATE \$1,700,000.00 IN THE MUNICIPAL GOVERNMENT CAPITAL IMPROVEMENT FUND TO VARIOUS CITY PROJECTS. The following resolution which was read and introduced at the regular meeting of December 13, 2022, and held over until the regular meeting of December 20, 2022, was called up by the Presiding Officer.

RESOLUTION: 09-1098-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$1,700,000.00 be appropriated in the Municipal Government Capital Improvement Fund (Fund 2010; Revenue Code CAR01 Annual Capital Trust Revenue) to the following Capital Projects:

C0642 Cruise Term-Parking Deck Repairs	\$300,000.00
C0641 Cruise Term-Rollup Doors	\$50,000.00
C0645 Cruise Term-Replace Roof/Parapet	\$25,000.00
NEW Cruise Term-Mooring Upgrades	\$200,000.00

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E0046 Fire Station Upgrades	\$200,000.00
NEW Tennis-Electrical Poles & Panels	\$95,000.00
C0634 Police New Training Ctr-Mounting Unit	\$233,000.00
C0048 Citywide Bridge Repairs	\$300,000.00
NEW Police Headquarters-Elevator	\$297,000.00

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

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

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

AUTHORIZE CONTRACT WITH TOUCHDOWN CLEANING SERVICES, INC. FOR JANITORIAL SERVICES AT THE MOBILE ALABAMA CRUISE TERMINAL; \$34,430.00. The following resolution which was read and introduced at the regular meeting of December 13, 2022, and held over until the regular meeting of December 20, 2022, was called up by the Presiding Officer.

RESOLUTION: 21-1099-2022

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: TOUCHDOWN CLEANING SERVICES INC d/b/a
PERSONAL TOUCH CLEANING SERVICES LLC

Project Name: MOBILE ALABAMA CRUISE TERMINAL –
JANITORIAL SERVICES

Project Number: SC-040-22 REBID

Amount: \$34,430.00

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

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

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

AUTHORIZE CONTRACT WITH TTL INC., FOR 2023 MISCELLANEOUS DRAINAGE GROUP A; (D2, 3, 4, 6, 7); \$79,000.00. The following resolution which was read and introduced at the regular meeting of December 13, 2022, and held over until the regular meeting of December 20, 2022, was called up by the Presiding Officer.

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RESOLUTION: 21-1100-2022

Sponsored by: Mayor Stimpson and Councilmembers Carroll, Small, Reynolds, 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: TTL, Inc.

Project Name: 2023 Miscellaneous Drainage Group A
COM Project No. 2023-3005-08

Estimated Cost: \$79,000.00

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

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

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

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SOUTHWEST CHAPTER OF THE ALABAMA COALITION OF CITIZENS WITH DISABILITIES TO OPERATE A SHUTTLE SERVICE. The following resolution which was read and introduced at the regular meeting of December 13, 2022, and held over until the regular meeting of December 20, 2022, was called up by the Presiding Officer.

RESOLUTION: 37-1101-2022

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 the Alabama Coalition of Citizens with Disabilities, 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.

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

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

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

AUTHORIZE PAYMENT TO THE MOBILE AREA CHAMBER OF COMMERCE FOUNDATION FOR CONTRIBUTION TOWARD COMMISSIONING OF A BRONZE BUST; \$10,000.00. The following resolution which was read and introduced at the regular meeting of December 13, 2022, and held over until the regular meeting of December 20, 2022, was called up by the Presiding Officer.

RESOLUTION: 60-1102-2022

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Sponsored by: Mayor Stimpson

WHEREAS, the Mobile Area Chamber of Commerce Foundation, an Alabama domestic non-profit corporation, commissioned a bronze bust of Senator Richard Shelby to display at the southeast side of the Arthur R. Outlaw Mobile Convention Center along the Mobile Riverfront; and

WHEREAS, in recognition of Senator Shelby's extraordinary promotion of and support for the Mobile area, Mobile County by and through the Mobile County Commission, contributed Ten Thousand Dollars (\$10,000.00) to the Mobile Area Chamber of Commerce Foundation towards the cost of the bust; and

WHEREAS, the City of Mobile desires to recognize Senator Shelby's promotion of and support for the City and its citizens by contributing the same amount, Ten Thousand Dollars (\$10,000.00), towards the cost of the bust; and

WHEREAS, City funding is available in the unallocated funds in the Convention Center Fund #6080; and

WHEREAS, the City Council for the City of Mobile determines that honoring Senator Shelby serves a public purpose;

NOW, THEREFORE, BE IN RESOLVED that the City Council for the City of Mobile hereby finds and determines that payment to the Mobile Area Chamber of Commerce Foundation in the amount of Ten Thousand Dollars (\$10,000.00) towards the commissioning of a bronze bust of Senator Richard Shelby for public display serves a public purpose and the Council further approves that said payment be made from the unallocated funds in the Convention Center Fund #6080.

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

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

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

ORDINANCES BEING INTRODUCED

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 held over until the regular meeting of January 3, 2023.

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:

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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.

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 held over until the regular meeting of January 3, 2023.

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

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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 11, 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 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 arc 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

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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.

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 Consent Resolutions 37-1106 through 60-1133 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO MOBILE ORIENTAL MARKET; 480 AZALEA ROAD. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-1106-2022

Sponsored by: Councilmember Daves

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

Type of application: Retail Beer/Table Wine (Off Premises Only) License

Submitted by: Mobile Oriental Market, Inc.

Location: Mobile Oriental Market
480 Azalea Road
Mobile, AL 36609

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 REMOVAL OF WEEDS, GROUP NO. 1636

RESOLUTION: 58-1107-2022

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 23 described in the resolution adopted on the 15TH 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 21, as described in the resolution adopted on the 15TH 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.1636 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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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 AWARD OF SPECIAL BONUS TO THE ADMINISTRATIVE SERVICES EMPLOYEE OF THE MONTH; MATRANGA. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1108-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City Supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 to the following employee:

- **NOVEMBER 2022 – CHRIS MATRANGA (Employee #18015)**
Administrative Services
Business Process Analyst - Information Technology

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

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember 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 AWARD OF SPECIAL BONUS TO THE FIREFIGHTER OF THE MONTH; ERDMANN. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1109-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 each to the following employee(s):

Firefighter Dennis L. Erdmann (Emp #14929)

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

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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 AWARD OF SPECIAL BONUS TO THE OFFICER OF THE MONTH; SNYDER. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1110-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 each to the following employee:

November 2022: Corporal Robert Snyder

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

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember 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 AFRICATOWN COMMUNITY DEVELOPMENT CORPORATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1133-2022

Sponsored by: Mayor Stimpson

WHEREAS, Mayor Stimpson wishes to appropriate **\$1,000.00** to Africatown Community Development Corporation, from his discretionary funds; and

WHEREAS, Africatown Community Development Corporation, 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 Africatown Community Development Corporation will be used to assist with Christmas presents to the children in the Africatown community, which will serve a public purpose benefitting the City of Mobile and its citizens.

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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.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,000.00 to Africatown Community Development Corporation 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.

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

Councilmember Gregory moved for the suspension of the rules to consider Resolutions 02-1134 and 08-1121 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO WARD INTERNATIONAL TRUCKS, LLC FOR 3 SHUTTLE TRUCKS FOR PUBLIC SERVICES, TRASH COLLECTION; \$341,730.00.
The following resolution was held over until the regular meeting of January 3, 2023.

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>

APPROVE PURCHASE ORDERS FOR FUEL FOR VARIOUS CITY DEPARTMENTS.
The following resolution was held over until the regular meeting of January 3, 2023.

RESOLUTION: 08-1112-2022

Sponsored by: Mayor Stimpson

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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 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

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APPROVE PURCHASE ORDERS FOR FUEL FOR THE WAVE TRANSIT. The following resolution was held over until the regular meeting of January 3, 2023.

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

APPROVE PURCHASE ORDER TO DS DIESEL SERVICES, LLC FOR REPLACEMENT ENGINE FOR STREET SWEEPER; \$29,827.27. The following resolution was held over until the regular meeting of January 3, 2023.

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 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>

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 held over until the regular meeting of January 3, 2023.

RESOLUTION: 08-1115-2022

Sponsored by: Mayor Stimpson

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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>

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 held over until the regular meeting of January 3, 2023.

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>

APPROVE PURCHASE ORDER TO VULCAN, INC. FOR ALUMINUM STREET SIGNS FOR TRAFFIC ENGINEERING DEPT.; \$60,440.00. The following resolution was held over until the regular meeting of January 3, 2023.

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:

MINUTES OF DECEMBER 20, 2022

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>

APPROVE PURCHASE TO ORDER TO GLOBAL INDUSTRIES, INC. FOR FURNITURE FOR LAFAYETTE STREET RESOURCE CENTER; \$16,895.76. The following resolution was held over until the regular meeting of January 3, 2023.

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>

APPROVE PURCHASE ORDER TO KIMBALL INTERNATIONAL MARKETING, INC. FOR FURNITURE FOR LAFAYETTE STREET RESOURCE CENTER; \$32,050.50. The following resolution was held over until the regular meeting of January 3, 2023.

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:

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) KIMBALL INTERNATIONAL MARKETING INC</u>

APPROVE PURCHASE ORDER TO JASPER SEATING COMPANY, INC. FOR FURNITURE FOR LAFAYETTE STREET RESOURCE CENTER; \$18,012.58. The following resolution was held over until the regular meeting of January 3, 2023.

MINUTES OF DECEMBER 20, 2022

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 SEATING COMPANY INC</u>

APPROVE PURCHASE ORDER TO GWINS STATIONERY & ENGRAVING, INC. FOR THE HERO CODE BOOK FOR CITY EMPLOYEES; \$34,667.80. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-1121-2022

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>3286, 3363</u>	2023	(0580) MAYORS OFFICE	THE HERO CODE BOOK FOR CITY EMPLOYEES (SEALED BID 5744)	\$34,667.80	<u>(79615) GWINS STATIONERY & ENGRAVING INC</u>

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

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

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

APPROVE PURCHASE ORDER TO SUNBELT FIRE, INC. FOR FIRE HELMETS AND ACCESSORIES FOR MFRD; \$29,928.00. The following resolution was held over until the regular meeting of January 3, 2023.

RESOLUTION: 08-1122-2022

Sponsored by: Mayor Stimpson

MINUTES OF DECEMBER 20, 2022

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	<u>(198904)</u> <u>SUNBELT FIRE</u> <u>INC</u>

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 held over until the regular meeting of January 3, 2023.

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.

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 held over until the regular meeting of January 3, 2023.

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.

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Project Name: MOBILE ALABAMA CRUISE TERMINAL -
PARKING DECK REPAIRS - PHASE III

Project Number: CT-006-22

Amount: \$209,576.00

AUTHORIZE CONTRACT WITH ARENA FIRE PROTECTION, INC. FOR SECURITY UPGRADES AT THE PUBLIC WORKS COMPLEX; \$16,700.00. The following resolution was held over until the regular meeting of January 3, 2023.

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

Project Number: PW-064-22

Amount: \$16,700.00

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 held over until the regular meeting of January 3, 2023.

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.

AUTHORIZE CONTRACT WITH MELVIN PIERCE PAINTING, INC. FOR EXTERIOR RENOVATIONS AT THE BEN MAY MAIN LIBRARY; \$517,000.00. The following resolution was held over until the regular meeting of January 3, 2023.

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.

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Name of Company: MELVIN PIERCE PAINTING, INC.

Project Name: THE BEN MAY LIBRARY –
EXTERIOR RENOVATIONS

Project Number: LI-051-21

Amount: \$517,000.00

ACCEPT PERMANENT SIDEWALK EASEMENTS FOR THE OLD SHELL ROAD SIDEWALK PROJECT. The following resolution was held over until the regular meeting of January 3, 2023.

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.

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 held over until the regular meeting of January 3, 2023.

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.

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.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; WOOD. The following resolution was held over until the regular meeting of January 3, 2023.

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

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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.

PROPOSE STUDY OF ALTERATION OF CORPORATE LIMITS. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 02-1134-2022

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

BE IT RESOLVED BY THE City Council for the City of Mobile, Alabama (the "Council") as follows:

I. FINDINGS

A. Annexation increases the land area of a city according to the procedures set out in the Alabama Code of 1975.

B. State law authorizes four different methods by which cities may annex, or increase, the boundaries of its corporate limits:

i. by local legislative act;

ii. by consent of persons owning at least 60 percent of the acreage of the platted or unplatted land to be annexed, Ala. Code §§ 11-42-1 through 6;

iii. by unanimous consent, as set out in Ala. Code §§ 11-42-20 through 24; or

iv. by special election initiated by Council resolution, Ala. Code §§ 11-42-40 through 88.

C. There are two different methods by which municipalities may de-annex, or reduce, the boundaries of its corporate limits:

i. by local legislative act; or

ii. by resolution of the Council as set out in Ala. Code §§ 11-42-200 through 213.

D. The decision to alter the corporate limits will necessarily involve weighing of benefits and burdens. A key consideration is whether the City will be able to function, i.e., sustain a level of services comparable to existing services. To do so, the City's projected revenues should meet or exceed projected expenses. It is therefore prudent that the Council's decision on any annexation proposal is informed, transparent, and fact-based.

II. PROCEDURE

A. Map of the area proposed for annexation

i. A map or plat of the territory to be annexed shall be prepared ("Study Area").

ii. The map will show the boundary of the territory proposed to be taken into the city, which territory must be contiguous to the boundary of the city at some point.

B. Validation Study

i. Pursuant to the investigatory authority of the council under Ala. Code §§ 11-44C21, a validation study will be prepared to compile data on the Study Area including the following:

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- a. Current use of each parcel as assessed and shown in the records of the Mobile County Revenue Commissioner (utilities, agricultural, forest, residential property and historic buildings, and property not otherwise classified).
- b. Water and sewer service provided by Mobile Area Water and Sewer Service System, or other water or sewer services of record.
- c. Identification of environmentally-sensitive property.
- d. Recorded subdivisions.
- e. An inventory of city services currently provided to the Study Area and the identity of the service provider, including police, fire and 911 emergency response.
- f. Identification of services the City of Mobile will provide and a projected timetable for the provision of such services.
- g. Lane miles of public roads in Study Area, and description of their condition when available.
- h. Current revenue generated to the City, including taxes and business.

ii. Cost Benefit Analysis

A cost benefit analysis shall analyze whether the city has capacity to serve the Study Area, and the estimated cost of providing services over the next ten years. The cost benefit analysis shall identify source data, and address:

- 1. Projected revenues, taxes, and fees.
- 2. Projected costs of providing service to the Study Area, including new employees and equipment for City police and fire, building permits, public works, parks, recreational facilities, and stormwater management.
- 3. The cost of street maintenance, garbage, and trash removal.
- 4. Projected revenues and sources.

iii. Additional Information

The Council should consider whether annexation of the Study Area will:

- 1. Eliminate or create islands or peninsulas of incorporated territory.
- 2. Consolidate governmental functions.
- 3. Encourage equitable distribution of community resources and obligations.
- 4. Promote efficient delivery of services.
- 5. Negatively impact the city due to conditions in the Study Area.
- 6. Change the city demographics.

C. Third Party Validation Required:

- i. Data compiled under Section II. B. shall be validated by a disinterested and qualified third-party consulting entity (hereinafter, the "Consultant").
- ii. For purposes of this section, "validation" is the review of information, data, and procedures to determine the extent to which they are accurate, reliable, and free from bias.

iii. The Consultant shall be selected by the City Attorney and legal counsel for the Council, and subject to approval by the Council President.

D. Community Meetings

1. In order to actively seek public participation and maximize public input, the Council shall and the Administration may conduct a community meeting in each of the seven Council districts (the "Community Meetings"). Councilmembers may combine their Community Meetings with meetings held in or for neighboring districts.

2. Any Community Meetings will be held at a time and place determined by the Councilmembers for each district, or the Administration if the Administration opts to hold any such meetings; provided, however, all Community Meetings shall begin no sooner than 5 p.m. unless a significant number of citizens request their Councilmember(s) hold the meeting during regular business hours.

3. Community Meetings will be open to the public so that all citizens may provide comments about the proposed annexations.

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

Councilmember Carroll moved to amend the resolution as follows:

BE IT RESOLVED by the City Council for the City of Mobile, Alabama (the "Council") as follows:

I. FINDINGS

A. Annexation increases the land area of a city according to the procedures set out in the Alabama Code of 1975.

B. State law authorizes four different methods by which cities may annex, or increase, the boundaries of its corporate limits:

i. by local legislative act;

ii. by consent of persons owning at least 60 percent of the acreage of the platted or un-platted land to be annexed, *Ala. Code* §§ 11-42-1 through 6;

iii. by unanimous consent, as set out in *Ala. Code* §§ 11-42-20 through 24; or

iv. by special election initiated by Council resolution, *Ala. Code* §§ 11-42-40 through 88.

C. There are two different methods by which municipalities may de-annex, or reduce, the boundaries of its corporate limits:

i. by local legislative act; or

ii. by resolution of the Council as set out in *Ala. Code* §§ 11-42-200 through 213.

D. The decision to alter the corporate limits will necessarily involve weighing of benefits and burdens. A key consideration is whether the City will be able to function, i.e., sustain a level of services comparable to existing services. To do so, the City's projected revenues should meet or exceed projected expenses. It is therefore prudent that the Council's decision on any annexation proposal is informed, transparent, and fact-based.

II. PROCEDURE

MINUTES OF DECEMBER 20, 2022

A. Map of the area proposed for annexation

- i. A map or plat of the territory to be annexed shall be prepared ("Study Area").
- ii. The map will show the boundary of the territory proposed to be taken into the city, which territory must be contiguous to the boundary of the city at some point.

B. Validation Study

- i. Pursuant to the investigatory authority of the council under *Ala. Code* §§ 11-44C-21, a validation study will be prepared to compile data on the Study Area including the following:
 - a. Current use of each parcel as assessed and shown in the records of the Mobile County Revenue Commissioner (utilities, agricultural, forest, residential property and historic buildings, and property not otherwise classified).
 - b. Water and sewer service provided by Mobile Area Water and Sewer Service System, or other water or sewer services of record.
 - c. Identification of environmentally-sensitive property if known.
 - d. Recorded subdivisions.
 - e. An inventory of city services currently provided to the Study Area and the identity of the service provider, including police, fire and 911 emergency response.
 - f. Identification of services the City of Mobile will provide and a projected timetable for the provision of such services.
 - g. Lane miles of public roads in Study Area, and description of their condition when available.
 - h. Current revenue generated to the City, including taxes and business.
- ii. Cost Benefit Analysis

A cost benefit analysis shall analyze whether the city has capacity to serve the Study Area, and the estimated cost of providing services over the next ten years. The cost benefit analysis shall identify source data, and address:

1. Projected revenues, taxes, and fees.
2. Projected costs of providing service to the Study Area, including new employees and equipment for City police and fire, building permits, public works, parks, recreational facilities, and stormwater management.
3. The cost of street maintenance, garbage, and trash removal.
4. Projected revenues and sources.

iii. Additional Information

The Council should consider whether annexation of the Study Area will:

1. Eliminate or create islands or peninsulas of incorporated territory.

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2. Consolidate governmental functions.
3. Encourage equitable distribution of community resources and obligations.
4. Promote efficient delivery of services.
5. Negatively impact the city due to conditions in the Study Area.
6. Change the city demographics.

C. Third Party Validation Required:

- i. Data compiled under Section II. B. shall be validated by a disinterested and qualified third-party consulting entity (hereinafter, the "Consultant").
- ii. For purposes of this section, "validation" is the review of information, data, and procedures to determine the extent to which they are accurate, reliable, and free from bias.
- iii. The Consultant shall be selected by the City Attorney and legal counsel for the Council, and subject to approval by the Council President.

D. Community Meetings

1. In order to actively seek public participation and maximize public input, the Council shall and the Administration may conduct a community meeting in each of the seven Council districts (the "Community Meetings"). Councilmembers may combine their Community Meetings with meetings held in or for neighboring districts.
2. Any Community Meetings will be held at a time and place determined by the Councilmembers for each district, or the Administration if the Administration opts to hold any such meetings; provided, however, all Community Meetings shall begin no sooner than 5 p.m. unless a significant number of citizens request their Councilmember(s) hold the meeting during regular business hours.
3. Community Meetings will be open to the public so that all citizens may provide comments about the proposed annexations.

The move was seconded by Councilmember Gregory, following comments by Councilmember Reynolds the vote was as follows:

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

The Presiding Officer declared the amendment adopted.

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

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO ARMSTEAD MORTUARY TRANSIT SERVICE

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TO OPERATE A SHUTTLE SERVICE (SCHEDULED FOR JANUARY 3, 2023). The following ordinance was introduced by Councilmember Gregory.

ORDINANCE: 41-1131-2022

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 resolution 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 resolution.

NOTICE OF HEARING ON PROPOSED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Armstead Mortuary Transit Service to operate a shuttle service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza, located at 205 Government Street, Mobile, Alabama, on f January 3, 2023, at 10:30 a.m. At such time and place, all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

Councilmember Gregory then moved to call for the public hearing, 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 whereupon the Presiding Officer set the date for the public hearing as January 3, 2023.

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 6712 OLD DOBBIN DRIVE NORTH FROM R-1, R-2 AND B-1 TO R-1 (DISTRICT 6) (SCHEDULED FOR JANUARY 24, 2023). The following ordinance was introduced by Councilmember Gregory.

ORDINANCE: 41-1132-2022

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 6712 Old Dobbin Drive North (East terminus of Blue Ridge Boulevard, extending to the West terminus of Old Dobbin Drive North, the west terminus of Harness Way, the north terminus of Creekline Drive, and the north, terminus of Valleydale Drive).

Pursuant to Resolution of the Mobile, Alabama City Council adopted December 20, 2022, 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 6712 Old Dobbin Drive North (East terminus of Blue Ridge Boulevard, extending to the West terminus of Old Dobbin Drive North, the west terminus of Harness Way, the north terminus of Creekline Drive, and the north terminus of Valleydale Drive) from R-1, Single Family Residential District, R-2, Two Family Residential District, and B-1, Buffer Business District to R-1, Single Family Residential District.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All 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

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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:

PARCEL A:

COMMENCING AT A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH RANGE 2 WEST, MOBILE COUNTY, ALABAMA WHERE IT IS INTERSECTED BY THE SOUTH RIGHT OF WAY LINE OF A 40 FOOT SERVICE ROAD SOUTH OF AND PARALLEL WITH COTTAGE HILL ROAD, SAID POINT BEING THE NORTHEAST CORNER OF ASHVILLE, UNIT ONE, ACCORDING TO PLAT RECORDED IN MAP BOOK 66 PAGE 111 OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, RUN SOUTH 00 DEGREES 09 MINUTES 20 SECONDS WEST ALONG THE EASTERN BOUNDARY OF ASHVILLE, UNIT ONE 280.70 FEET TO A POINT; THENCE CONTINUING ALONG SAID EASTERN BOUNDARY OF ASHVILLE, UNIT ONE RUN NORTH 89 DEGREES 18 MINUTES 55 SECONDS EAST 221.41 FEET TO A POINT; THENCE CONTINUING ALONG SAID EASTERN BOUNDARY RUN SOUTH 68 DEGREES 34 MINUTES 44 SECONDS EAST 130.86 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT TWO, ACCORDING TO PLAT RECORDED IN MAP BOOK 24, PAGE 92 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, SAID POINT BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT TWO, RUN AS FOLLOWS: SOUTH 16 DEGREES 14 MINUTES 47 SECONDS WEST 111.93 FEET, SOUTH 22 DEGREES 30 MINUTES 13 SECONDS EAST 170.00 FEET, SOUTH 04 DEGREES 24 MINUTES 43 SECONDS EAST 109.05 FEET, SOUTH 17 DEGREES 08 MINUTES 07 SECONDS WEST 70.0 FEET, SOUTH 00 DEGREES 08 MINUTES 07 SECONDS WEST 665.10 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT FOUR, ACCORDING TO PLAT RECORDED IN MAP BOOK 26 PAGE 31 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILLS UNIT FOUR, RUN AS FOLLOWS: SOUTH 42 DEGREES 38 MINUTES 07 SECONDS WEST 158.00 FEET SOUTH 19 DEGREES 08 MINUTES 51 SECONDS WEST 32.09 FEET, SOUTH 11 DEGREES 06 MINUTES 39 SECONDS EAST 170.0 FEET, SOUTH 00 DEGREES 36 MINUTES 39 SECONDS EAST 250.0 FEET, SOUTH 21 DEGREES 36 MINUTES 39 SECONDS EAST 260 FEET, NORTH 69 DEGREES 08 MINUTES 38 SECONDS EAST 71.40 FEET, SOUTH 08 DEGREES 15 MINUTES 32 SECONDS WEST 225.00 FEET, SOUTH 04 DEGREES 45 MINUTES 32 SECONDS WEST 205.00 FEET TO THE SOUTHWEST CORNER OF SAID CARRIAGE HILLS, UNIT FOUR; THENCE ALONG THE SOUTHERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT FOUR, RUN SOUTH 71 DEGREES 14 MINUTES 28 SECONDS EAST 170.00 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT FIVE ACCORDING TO PLAT RECORDED IN MAP BOOK 26 PAGE 51 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY ALABAMA; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT FIVE, RUN SOUTH 39 DEGREES 05 MINUTES 43 SECONDS EAST 44.49 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT SIX ACCORDING TO PLAT RECORDED IN MAP BOOK 26 PAGE 109 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT SIX, RUN AS FOLLOWS: SOUTH 35 DEGREES 47 MINUTES 57 SECONDS WEST 344.67 FEET, SOUTH 82 DEGREES 11 MINUTES 57 SECONDS WEST 84.95 FEET, SOUTH

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00 DEGREES 12 MINUTES 03 SECONDS EAST 750.00 FEET, SOUTH 13 DEGREES 00 MINUTE 57 SECONDS WEST 215.05 FEET TO THE NORTHEAST CORNER OF CHELSEA, UNIT TWO, ACCORDING TO PLAT RECORDED IN MAP BOOK 58 PAGE 121 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE NORTHERN BOUNDARY OF SAID CHELSEA, UNIT TWO RUN AS FOLLOWS; NORTH 67 DEGREES 58 MINUTES 45 SECONDS WEST 23.28 FEET, SOUTH 73 DEGREES 23 MINUTE 36 SECONDS WEST 37.80 FEET, SOUTH 88 DEGREES 01 MINUTES 28 SECONDS WEST 100.40 FEET, NORTH 78 DEGREES 17 MINUTES 13 SECONDS WEST 38.00 FEET, SOUTH 73 DEGREES 35 MINUTES 25 SECONDS WEST 45.53 FEET, SOUTH 83 DEGREES 56 MINUTES 56 SECONDS WEST 82.26 FEET, SOUTH 80 DEGREES 05 MINUTES 10 SECONDS WEST 84.51 FEET, SOUTH 77 DEGREES 36 MINUTES 42 SECONDS WEST 96.74 FEET, SOUTH 69 DEGREES 00 MINUTES 48 SECONDS WEST 145.45 FEET, NORTH 66 DEGREES 00 MINUTES 52 SECONDS WEST 87.50 FEET, NORTH 70 DEGREES 01 MINUTES 43 SECONDS WEST 28.57 FEET, SOUTH 80 DEGREES 43 MINUTES 13 SECONDS WEST 55.18 FEET, SOUTH 44 DEGREES 07 MINUTES 19 SECONDS WEST 42.54 FEET, SOUTH 70 DEGREES 36 MINUTES 08 SECONDS WEST 149.28 FEET, SOUTH 44 DEGREES 56 MINUTES 38 SECONDS WEST 250 FEET, MORE OR LESS TO THE CENTER OF MILKHOUSE CREEK; THENCE ALONG THE MEANDERING OF SAID CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 1350 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SHADOW CREEK, ACCORDING TO PLAT RECORDED IN MAP BOOK 84 PAGE 40 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE EASTERN BOUNDARY OF SAID SHADOW CREEK, SAID EASTERN BOUNDARY BEING THE CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 200 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SHADOW CREEK, SAID CORNER BEING THE SOUTHEAST CORNER OF CHARLESTON OAKS, UNIT FOUR, ACCORDING TO THE PLAT RECORDED IN MAP BOOK 52 PAGE 77 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE EASTERN BOUNDARY OF SAID CHARLESTON OAKS, UNIT FOUR SAID EASTERN BOUNDARY BEING THE CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 620 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF SAID CHARLESTON OAKS, UNIT FOUR, SAID POINT BEING THE SOUTHEAST CORNER OF CHARLESTON OAKS, UNIT FIVE ACCORDING TO PLAT RECORDED IN MAP BOOK 53 PAGE 31 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE EASTERN BOUNDARY OF CHARLESTON OAKS, UNIT FIVE, SAID EASTERN BOUNDARY BEING THE CENTER OF MILKHOUSE CREEK, RUN NORTHWARDLY 1670 FEET MORE OR LESS, TO THE NORTHEAST CORNER OF SAID CHARLESTON OAKS, UNIT FIVE, SAID POINT BEING ON THE NORTH LINE THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5 TOWNSHIP 5 SOUTH RANGE 2 WEST; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5 TOWNSHIP 5 SOUTH RANGE 2 WEST, RUN SOUTH 89 DEGREES 50 MINUTES 05 SECONDS EAST 843.76 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TOWNSHIP 5 SOUTH, RANGE 2 WEST; THENCE ALONG THE EAST LINE RUN NORTH 00 DEGREES 09 MINUTES 20 SECONDS WEST 25.00 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 50 MINUTES 05 SECONDS WEST 451 FEET, MORE OR LESS TO THE CENTER OF MILKHOUSE CREEK; THENCE ALONG SAID CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 344 FEET, MORE OR LESS TO A POINT THAT WOULD BE A WESTWARD EXTENSION OF THE SOUTHERN BOUNDARY OF THE AFOREMENTIONED ASHVILLE, UNIT ONE; THENCE ALONG SAID EXTENSION AND ALONG SAID SOUTHERN BOUNDARY OF ASHVILLE, UNIT ONE, RUN NORTH 76 DEGREES 18 MINUTES 45 SECONDS EAST 404 FEET MORE OR LESS TO A POINT; THENCE CONTINUING ALONG SAID SOUTHERN BOUNDARY OF ASHVILLE, UNIT ONE RUN NORTH 85 DEGREES 48 MINUTES 45 SECONDS EAST 238.07 FEET TO A POINT; THENCE ALONG THE SOUTHEASTERN BOUNDARY OF ASHVILLE, UNIT ONE, RUN AS FOLLOWS: NORTH 38 DEGREES 35 MINUTES 05 SECONDS EAST 150.00 FEET, NORTH 34 DEGREES 37 MINUTES 21 SECONDS EAST 50.12 FEET, NORTH 43 DEGREES 05 MINUTES 05 SECONDS EAST 165.00

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FEET, NORTH 51 DEGREES 09 MINUTES 25 SECONDS EAST 170.38 FEET TO THE POINT OF BEGINNING.

PARCEL B:

COMMENCE AT THE SOUTHWEST COMER OF SECTION 8, TOWNSHIP 5, RANGE 2 WEST, ST. STEPHENS MERIDIAN AND RUN SOUTH 89 DEGREES 33 MINUTES 29 SECONDS EAST , FOR A DISTANCE OF 1330.59 FEET FOR A POINT OF BEGINNING; THENCE RUN NORTH 00 DEGREES 12 MINUTES 50 SECONDS WEST, 3050.01 FEET; THENCE RUN NORTHEASTWARDLY 380 FEET, MORE OR LESS, THENCE RUN NORTHWARDLY 830 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF UNO SUBDIVISION, PHASE ONE AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN MAP BOOK 121, PAGE 22; THENCE RUN SOUTH 88 DEGREES 02 MINUTES 54 SECONDS WEST, 63.01 FEET; THENCE RUN NORTH 00 DEGREES 12 MINUTES 28 SECONDS EAST, 276.71 FEET; THENCE RUN SOUTH 88 DEGREES 47 MINUTES 57 SECONDS EAST, ALONG THE SOUTH MARGIN OF SHADOW CREEK SUBDIVISION, AS SHOWN ON MAP OR PLAT THEREOF RECORDED IN MAP BOOK 84, PAGE 40, FOR A DISTANCE OF 615 FEET, MORE OR LESS TO A POINT IN THE CENTER OF MILKHOUSE CREEK; THENCE RUN SOUTHWARDLY ALONG THE CENTERLINE OF THE MEANDERINGS OF MILKHOUSE CREEK A DISTANCE OF 1350 MORE OR LESS, TO A POINT ON THE NORTH BOUNDARY OF CHELSEA SUBDIVISION, UNIT TWO, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT MAP BOOK 58, PAGE 121, THENCE RUN SOUTH 44 DEGREES 56 MINUTES 38 SECONDS WEST, A DISTANCE OF 42 FEET, MORE OR LESS, THENCE RUN SOUTH 17 DEGREES 28 MINUTES 54 SECONDS EAST, ALONG THE WEST LINE OF SAID CHELSEA SUBDIVISION, UNIT TWO AND ALSO CHELSEA SUBDIVISION, UNIT ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT MAP BOOK 39, PAGE 82, FOR A DISTANCE OF 890.57 FEET, THENCE RUN SOUTH 14 DEGREES 34 MINUTES 24 SECONDS EAST, A DISTANCE OF 169.91 FEET; THENCE RUN SOUTH 04 DEGREES 54 MINUTES 01 SECONDS WEST, A DISTANCE OF 430.02 FEET, THENCE RUN SOUTH 16 DEGREES 37 MINUTES 54 SECONDS EAST, A DISTANCE OF 659.14 FEET; THENCE RUN SOUTH 25 DEGREES 35 MINUTES 52 SECONDS EAST, A DISTANCE 405.03 FEET; THENCE RUN SOUTH 39 DEGREES 35 MINUTES 49 SECONDS EAST, A DISTANCE OF 200.01 FEET; THENCE RUN SOUTH 00 DEGREES 35 MINUTES 58 SECONDS EAST, A DISTANCE OF 360.02 FEET; THENCE RUN SOUTH 20 DEGREES 42 MINUTES 15 SECONDS EAST, A DISTANCE OF 278.19 FEET; THENCE RUN SOUTH 56 DEGREES 34 MINUTES 43 SECONDS, A DISTANCE OF 412.01 FEET, THENCE RUN NORTH 89 DEGREES 33 MINUTES 29 SECONDS, A DISTANCE OF 1673.23 FEET TO THE POINT OF BEGINNING.

The classification of said property is hereby changed from R-1, Single Family Residential District, R-2, Two Family Residential District, and B-1, Buffer Business District to R-1, Single Family Residential 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 R-1, Single Family Residential 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 R-1, Single Family Residential District until all of the conditions set forth below have been complied with: 1) Full compliance with the Engineering Comments (Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (251-208- 6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and

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issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control: the City of Mobile. Alabama Flood Plain Management Plan (1984); and the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Each Lot Owner shall be required to submit a Single-Family Residential Affidavit application with the initial construction of a single-family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area. 5. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. 6. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 7. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 8. The proposed development must comply with all Engineering Department design requirements and Policy Letters.); and, 2) full compliance with all municipal codes and ordinances.

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

Councilmember Gregory then moved to call for the public hearing, 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 whereupon the Presiding Officer set the date for the public hearing as January 24, 2023.

ANNOUNCEMENTS

Lisa C. Lambert, City Clerk, announced that the next City Council next meeting will be held on January 3, 2023.

Councilmember Jones asked Director Battiste if he could be prepared to explain what the changes to the open carry laws will mean in the city of Mobile at the next Council meeting.

Councilmember Carroll stated that he is holding off on making any new appointments to the History Museum Board of Directors.

Councilmember Carroll stated that the Christmas Extravaganza held at the Texas Street Recreation Center last Saturday was a success.

Councilmember Daves thanked the Board of Directors at the History Museum of Mobile for hosting the Council meeting today.

Councilmember Gregory thanked the City Council and City Clerk's staff for all the hard work they do.

Councilmember Gregory announced that a list of events for the MoonPie Drop will be coming out soon.

Councilmember Small stated that the Lending Tree Bowl last week was a success.

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Councilmember Small stated that the District 3 holiday meeting at Maryvale Elementary School was

Councilmember Small shared that the “Parade of Threes” last Saturday was well attended and thanked the Mobile Police Department for their help with the parade.

Councilmembers Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory wished the citizens of Mobile a Merry Christmas and Happy Holidays.

Councilmember Reynolds moved to adjourn the meeting, which move 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 regular meeting adjourn at approximately 11:56 p.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK