

MUNICIPAL BUILDING, MOBILE, ALABAMA, JUNE 19, 2018

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, June 19, 2018, at 9:00 a.m.

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

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m. on Tuesday, June 19, 2018.

The Presiding Officer adjourned the meeting.

Approved: July 3, 2018

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, JUNE 19, 2017

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, June 19, 2018, at 10:30 a.m., in regular meeting.

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

Reverend Amos Powell, Pastor Emeritus, Grace & Truth Christian Fellowship Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY COUNCIL VICE PRESIDENT:

The Presiding Officer stated that all cell phones must be turned off and that there will be no hats, hoods, sunglasses or large bags permitted in the meeting room.

- 1) Any person desiring to address the Council must register upon entering the meeting area. When addressing the Council, the speaker must state his/her name and address.
- 2) Each speaker is allowed five minutes to address the Council. A bell will sound to indicate the end of 4 minutes. One minute is allowed for summarizing. The second bell indicates the time has expired.
- 3) To maintain decorum, there will be no undue applause and/or public outcry allowed.
- 4) When addressing the Council, there is to be no personal address to any individual Councilmember. All statements are to be made to the Chair who will recognize any Councilmember who wishes to respond.
- 5) Any person desiring to speak to the Council on a non-agenda item must contact the City Clerk's Office no later than 2:00 p.m. on the Thursday prior to the Council Meeting.

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The subject he/she wishes to address must be identified. Any person attending the meeting who has not given proper notice to the Clerk's Office and wishes to speak on a non-agenda item will not be allowed to address the Council.

6) Those persons desiring to speak on agenda items must indicate the resolution, ordinance, appeal, or public hearing item on arrival when signing in for the meeting.

APPROVAL OF MINUTES:

The minutes of the meeting of June 12, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson presented a Certificate of Recognition to Mobile Police Officer David Conditt naming him Officer of the Month for May 2018.

Mayor Stimpson announced that the newly installed basketball court lights at Herndon Sage Park will stay on until 10:00 p.m. for a trial basis. The situation will be reassessed as needed. Councilmember Richardson requested that the lights stay on until midnight, the same as for those playing soccer.

Mayor Stimpson encouraged citizens to participate in one of the public forums this month that will assist the City in gathering feedback that will help guide the Parks and Recreation System Improvement Plan.

Mayor Stimpson stated that the City has helped 32 homeowners repair their homes through the Critical Repair Grant Program. Repairs include roof, electrical, plumbing and heating and air conditioning. The purpose of the program is to fight blight by taking proactive measures to prevent problems in neighborhoods before they happen.

Mayor Stimpson invited the public to attend a scrimmage game between The Mobile Hurricanes, the City of Mobile Special Olympics Basketball Team, and the Mobile Police Department this Thursday, 6:00 p.m., at the Cottage Hill Warriors Gymnasium.

PRESENTATIONS BY THE COUNCIL:

Councilmember Small read a proclamation declaring Tuesday, June 19, 2018 as "Ms. Taebryanna Sims Day" in honor of Ms. Sims receiving a Fulbright grant to teach Elementary English in South Korea.

NEW COMMITTEE ASSIGNMENTS:

None.

ADOPTION OF THE AGENDA:

Councilmember Gregory moved to adopt the agenda, which motion was seconded by Councilmember Richardson, and the vote was as follows:

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

Nays: None

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

APPEALS HELD OVER:

The Council considered the request of Patricia P. Beard for a waiver of the Noise Ordinance at 762 Marine Street on July 3 and July 4, 2018, from 3:00 p.m. – 10:00 p.m. (District 3).

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

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

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

APPEALS:

The Council considered the request of Maradena C. Irby for a waiver of the Noise Ordinance at 622 Wellington Street on June 30, 2018, from 3:00 p.m. – 10:00 p.m. (District 1).

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

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

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

The Council considered the request of James Ingram for a waiver of the Noise Ordinance at 457 Charles Street (between Texas Street and Elmira Street) on July 4, 2018, from 3:00 p.m. – 10:00 p.m. (District 2).

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

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

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

The Council considered the request of Terri Jones Pettway for a waiver of the Noise Ordinance at 750 block of Marine Street on June 30, 2018, from 5:00 p.m. – 9:00 p.m. (District 3).

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

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

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

The Council considered the request of Sheila Prowell for a waiver of the Noise Ordinance at 4101 Austin Court on July 4, 2018, from 4:00 p.m. – 9:00 p.m. (Planning Jurisdiction).

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

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

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

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The Council considered the request of Marsha Kiel for a waiver of the Noise Ordinance on St. Charles Avenue (block party) on June 23, 2018, from 3:00 p.m. – 6:00 p.m. (District 1).

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

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

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

The Council considered the request of Jojuan Carey for a waiver of the Noise Ordinance at 2868 Brossett Street on June 22, 2018, from 6:00 p.m. – 11:00 p.m. (District 4).

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

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

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

The Council considered the appeal of the Mobile City Planning Commission's denial of a Planned Unit Development to allow shared access between two lots located at 2955 and 2989 Dauphin Street (southeast corner of Dauphin Street and South Sage Avenue).

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

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

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

PUBLIC HEARINGS:

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1851 BOYKIN BOULEVARD IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1851 Boykin Boulevard is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 724 AKA 718 BANKHEAD PLACE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 724 aka 718 Bankhead Place is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 348 CAMMEL STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 348 Cammel Street is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Mary Sanders, 760 Highland Avenue, stated she is opposed to the demolition of 348 Cammel Street.

David Daughenbaugh, Municipal Enforcement, reported that the structure is unsafe and should be demolished.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 962 GOVERNMENT STREET IS A PUBLIC NUISANCE AND ORDER IT REPAIRED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 962 Government Street is a public nuisance and order it repaired and asked if there was anyone present to speak for or against this matter.

David Daughenbaugh, Municipal Enforcement, informed the Council that the structure is an historic building; therefore, the structure should be declared a nuisance and ordered repaired.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

None.

NON-AGENDA ITEMS:

1. Joe Keffer, 3892 Johnstown Drive, Montgomery, Alabama, spoke to the Council regarding working conditions for public works employees.

2. Ann Davis, 967 Westbury Drive, voiced her opposition to the removal of Ladd-Peebles Stadium and to the City providing funds to the University of South Alabama for the construction of a football stadium.

3. Barbara Estes, Wilbur Nesbitt, Mary Zoghby and Robert Byrne, 1717 Dauphin Street, provided an update for the Via Health Fitness and Enrichment Center and expressed their appreciation for the continued support of the City.

RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH S. C. STAGNER CONTRACTING, INC. FOR THREE MILE CREEK-BIKING AND WALKING TRAIL: SITE AMENITIES, \$174,261.00 (PR-254-17). The following resolution, which was introduced and read at the regular meeting of Tuesday, June 12, 2018 and held over for one (1) week until the regular meeting of June 19, 2018, was called up by the Presiding Officer.

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RESOLUTION: 21-392-2018

Sponsored by: Councilmember Richardson and Mayor Stimpson

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

Name of company: S. C. Stagner Contracting, Inc.

Project name: Three Mile Creek-Biking and Walking Trail:
Site Amenities

Project No.: PR-254-17

Amount: \$174,261.00

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

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

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

ORDINANCES BEING INTRODUCED:

AMEND CHAPTER 52 OF THE MOBILE CITY CODE PERTAINING TO BOARDING STANDARDS, HAZARD TREES AND TREE LIMBS AND UPDATED WEED ABATEMENT FEES. The following ordinance was held over for one (1) week until the regular meeting of Tuesday, June 26, 2018.

ORDINANCE: 52-015-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

AN ORDINANCE TO AMEND CHAPTER 52
OF THE MOBILE CITY CODE

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

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

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

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

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estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

Add the following section:

108.2.2 Boarding Methods.

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

(b) Boarding Standard – Windows.

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

1. All remaining broken glass shall be removed from the window opening including damaged frames as to provide a clean opening;
2. The sheeting material shall be cut to match the dimensions of the inside of the window casing so that when installed, the sheeting will fit tightly and not permit a tool to be placed behind it;
3. A ½-inch hole shall be drilled into each of the four corners of the sheeting material. The holes shall be positioned so they are no more than 1-inch from the window frame at the width and no more than 6 inches from the window sill and top frame.
4. Two solid continuous composite cross-beams shall be cut in sufficient length to be no less than 3.5 inches longer than the horizontal width of the interior window casing and extending not longer than 6 inches longer than the horizontal width of the interior window casing. Each cross-beam shall be predrilled with 7/16-inch holes that are positioned to match the horizontal pattern of the holes in the sheeting.
5. The sheeting shall be secured in place over the exterior of the window opening by placing a 3/8-inch corrosion resistant, smooth-head carriage bolt through each of the holes in the sheeting and then placing one washer onto each of the carriage bolts; the cross-beams shall then be aligned and affixed to such carriage bolts from the interior of the window opening. Another nut and washer shall be placed onto each of the carriage bolts and tightened with a ratchet to achieve sufficient torque and a slight deflection in the cross-beams so that the nuts cannot be loosened by hand. Once secured, no space shall exist between the sheeting and the exterior window casing.

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

1. The sheeting material shall be cut to match the dimensions of the inside of the window casing so that when installed, the sheeting will fit tightly and not permit a tool to be placed behind it;
2. Drill and countersink holes shall be made along the perimeter of the sheeting material starting with a hold at each of the four corners and adding additional holes at 10-inch increments around the perimeter of the sheeting. Minimum length 2-inch corrosion resistant security head screws shall be used in each hole to affix the sheeting to the window frame or exterior casing.

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

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

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

2. Economic Hardships; or,

3. Unavailability of the sheeting material.

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

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

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

1. Using a solid core wood or steel door with no windows or other openings in the door;

2. Or hinged sheeting material. The door shall be securely locked using a padlock and hasp assembly that is bolted through the door or sheeting material. The lock loop portion of the hasp shall be attached to the door frame using a minimum of 3-inch long security screws.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Abatement costs:

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

(b) Per cubic yard debris removal \$7.00

(c) Per spare tire \$3.00

(2) Administrative charges are to accrue as follows:

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

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

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

(3) Penalties:

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

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

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

(d) Prior to a vacant lot being declared a public nuisance by the city council, a private contractor and individual property owners may mutually contract for the regular maintenance of subject property at a different rate from those prescribed in this article by

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the city. However, once such property is declared a public nuisance by the city council, the areas must be in compliance with this article.

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

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

(a) The city council has found and declared:

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

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

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

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

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

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

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

(Ord. No. 65-048-2017, § 6, 12-5-17)

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

Commented [CK1]: Added 2, cut out stuff that remained the same

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

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

Commented [CK2]: Added heading

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

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

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

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

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

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

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 37-396 through 60-411 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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 RESTAURANT RETAIL LIQUOR LICENSE FOR LUCKY IRISH PUB AND GRILL, 3692 AIRPORT BOULEVARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-396-2018

Sponsored by: Councilmember Daves

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

Type of application: Restaurant Retail Liquor License

Submitted by: AirportLucky, LLC

Location: Lucky Irish Pub and Grill
3692 Airport Boulevard
Mobile, AL 36608

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LIQUOR LICENSE FOR UNIVERSITY CHEVRON, 702 UNIVERSITY BOULEVARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-397-2018

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Sponsored by: Councilmember Williams

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: Delta Investments, LLC

Location: University Chevron
702 South University Boulevard
Mobile, AL 36609

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR MURPHY EXPRESS 8852, 4640 AIRPORT BOULEVARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-398-2018

Sponsored by: Councilmember Daves

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

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

Submitted by: Murphy Oil USA, Inc.

Location: Murphy Express 8852
4640 Airport Boulevard
Mobile, AL 36608

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

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

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

DECLARE THE STRUCTURE AT 1851 BOYKIN BOULEVARD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Williams.

RESOLUTION: 40-399-2018

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Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 1851 Boykin Blvd. has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 7, 8, and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1851 Boykin Blvd. described as:

COM AT THE SE INTERSECTION OF BOYKIN BLVD AND E ALTA VISTA DR RUN TH
EWLY ALG THE S/L OF BOYKIN BLVD 56 FT TO THE POB WHICH PT IS THE NE
COR OF PPTY CONVEYED BY JETTIE I GOLEMAN TO JESSIE MAE BAKER MIMS
ON JUNE 16, 1960 CONT EWLY ALG SAID S/1. OF BOYKIN BLVD 77 FT TO A PT
RUN TH SWLY AND PARALLEL WITH E ALTA VISTA DR 200 FT TO A PT RUN TH
WLY AND PARALLEL WITH BOYKI N BLVD 77 FT TO A PT WHICH IS THE SE COR
OF THE MIMS LOT HEREINABOVE MENTIONED RUN TH NWLY ALG THE E/L OF
SAID MIMS LOT 200 FT TO POB #SEC 40 T5S R1W #MP32 10 40 0 002

Parcel number: 3210400002130.001

Last assessed to: LYONS ACQUISITIONS & REALTY

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

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

The resolution was read by the City Clerk; whereupon Councilmember Williams moved, that based upon the staff report and upon evidence submitted during the public hearing, the resolution be adopted, which was seconded by Councilmember Small and the vote was as follows:

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

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

DECLARE THE STRUCTURE AT 724 AKA 718 BANKHEAD PLACE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5). The following resolution was introduced by Councilmember Williams.

RESOLUTION: 40-400-2018

Sponsored by: Councilmember Daves

MINUTES OF JUNE 19, 2018

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 724 AKA 718 Bankhead Place has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance:

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 8, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 724 AKA 718 Bankhead Place described as:

LOT 9 BANKHEAD PL MBK 6 PG 515 #SEC 29 T4S R1W #MP29 09 29 4 002

Parcel number: 2909294002013

Last assessed to: NOBLE JOHN L

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

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

The resolution was read by the City Clerk; whereupon Councilmember Williams moved, that based upon the staff report and upon evidence submitted during the public hearing, the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

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

Nays: None

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

DECLARE THE STRUCTURE AT 348 CAMMEL STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Williams.

RESOLUTION: 40-401-2018

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 348 Cammel Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement inspection Checklist/Exhibit A - No. 7, 8, and 15

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 348 Cammel Street described as:

BEG 98.6 FT M OF NE COR LOT 57 BLK 1 EAST HIGHLAND THEN IM 5 PEG 15 IVIIN W 98.6 FT TH S 65 PEG W 121 FT TH S 71 PEG W 69 FT TH SLY ALG E/S THOMPSON IN 76 FT TH S 52 PEG E 30 FTP) 45 FT(S) TH N 82 PEG 30 MIN E 192.3 FT TO BEG BEING PI OF LOT 2 GTG&R DIV ST LOUIS TRT MINUTE BK 6 PG 140 #SEC 44 T4S RIW #MP29 02 44 0 002

Parcel number: 29-02-44-00-02-046

Last assessed to: DAVIS HENRY JR

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

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

The resolution was read by the City Clerk; whereupon Councilmember Williams moved, that the resolution be held over for six (6) months, which was seconded by Councilmember Richardson. Following comments from Councilmember Rich the vote was as follows:

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

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

DECLARE THE STRUCTURE AT 962 GOVERNMENT STREET A PUBLIC NUISANCE AND ORDER IT REPAIRED (DISTRICT 2). The following resolution was introduced by Councilmember Williams.

RESOLUTION: 40-407-2018

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 962 Government Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 8, 11 and 15; and

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

MINUTES OF JUNE 19, 2018

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 962 Government Street described as:

COM ON THE N/S OF GOVT ST 855.45 FT TH W FROM THE W/L OF BROAD ST TH RUN WLY ALG THE N/L OF GOVT ST 61 FT TO A PT IN THE CNTR OF A CONC WALL 6 IN HIGH TH RUN N 16 DEG 01 MIN 15 SEC W (ALG CTR/L OF SD WALL & OF A FENCE WHICH STARTS AT THE END OF SD WALL) A DIS OF 239.9 FT TO PT TH OF CONTI ST TH RUN ELY ALG THE S/L OF CONTI ST 59.1 FT TO A PT WHICH PT IS 854.5 FT W FROM THE W/L OF BROAD ST TH RUN 5 16 DEG 28 MIN 30 SEC E 240.1 FT TO THE N/L OF GOVT ST TH POB SD PPTY BEING SAME CONVEYED BY THE HOME OWNERS LOAN CORP TO GEORGE E FULLER BY DEED DTD DEC 20, 1939 DBK 219 NS PG 158 & SAME CONVEYED BY F & L CO TO THE GRANTOR BY V/L DEED DTD APRIL 8, 1996 RPBK 4353/1867 #SEC 40 T45 R1W #MP29 06 40 0 009

Parcel number: 29-06-40-00-09-387

Last assessed to: SPRING HILL INSURANCE COMPANY INC

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

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

The resolution was read by the City Clerk; whereupon Councilmember Williams moved, that based upon the staff report and upon evidence submitted during the public hearing, the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE POLICE OFFICER OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM, DAVID CONDITT, \$500.00. The following resolution was introduced by Councilmember Williams.

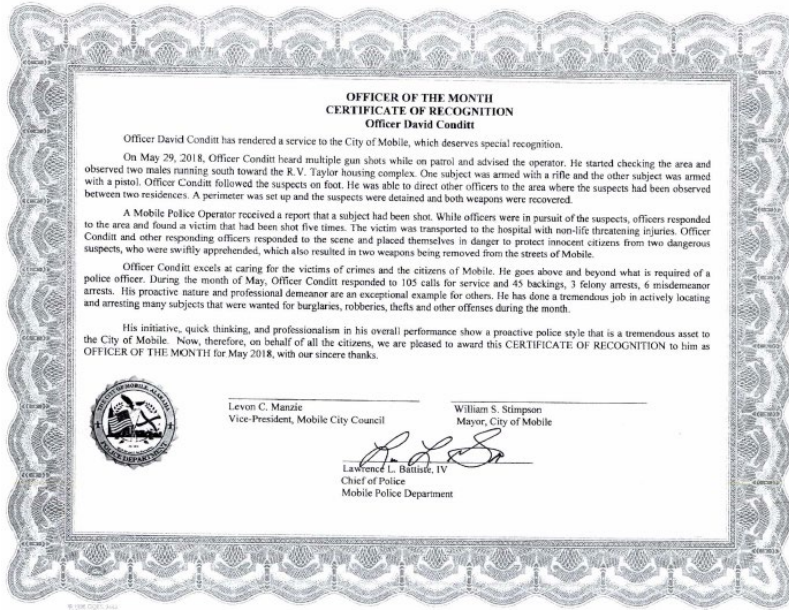
RESOLUTION: 60-408-2018

Sponsored by: Mayor Stimpson

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

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

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

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

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

DETERMINE EXPENDITURE OF DISCRETIONARY FUNDS FOR CONTRIBUTION TO THE MOBILE SPORTS AUTHORITY SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 60-411-2018

Sponsored by: Councilmember Williams

RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Williams wishes to donate \$6,000.00 to the Mobile Sports Authority from his discretionary funds; and

WHEREAS, the Mobile Sport Authority 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 payment of certain expenses is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this contribution to the Mobile Sports Authority will be used for a three day American Legion Baseball Tournament to be held June 29 thru July 1, 2018 and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the Mobile Sports Authority serves a public purpose and further approves and directs the payment of same.

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

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

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

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

Councilmember Richardson moved for the suspension of the rules to consider CIP Resolution 21-402 being introduced for the first time. The motion was seconded by Councilmember Gregory, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the item.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH HARRIS CONTRACTING SERVICES, INC. FOR LANGAN PARK-POLE REPLACEMENT-FIELD B, \$9,319.00 (PR-050-18; 2018 CIP ID #2017-470, D7). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 21-402-2018

Sponsored by: Councilmember Gregory and Mayor Stimpson

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

Name of company: Harris Contracting Services, Inc.

Project name: Langan Park-Pole Replacement-Field B

Project number: PR-050-18

Amount: \$9,319.00

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

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

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

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

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Councilmember Richardson moved for the suspension of the rules to consider Resolution 31-410 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the item.

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT WITH ARCHITECTS DESIGN GROUP/ADG, INC. FOR DEVELOPMENT OF A DETAILED SPATIAL NEEDS ASSESSMENT, SITE ANALYSIS, MASTER PLANNING AND ESTIMATE OF PROBABLE COSTS FOR THE CITY OF MOBILE PUBLIC SAFETY FACILITY, \$99,260.00 (PHASE I) (42200-1530). The following resolution was held over for one (1) week until the regular meeting of Tuesday, June 26, 2018.

RESOLUTION: 01-412-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Scope Proposal Agreement between the City of Mobile and Architects Design Group/ADG, Inc. A copy of said Agreement is on file in the office of the City Clerk.

DETERMINE THE NECESSITY FOR THE CONDEMNATION OF CERTAIN LANDS IN THE CITY OF MOBILE FOR THE WIDENING OF ZEIGLER BOULEVARD. The following resolution was held over for one (1) week until the regular meeting of Tuesday, June 26, 2018.

RESOLUTION: 18-405-2018

Sponsored by: Councilmember Gregory and Mayor Stimpson

A RESOLUTION DETERMINING THE NECESSITY FOR THE CONDEMNATION OF CERTAIN LANDS IN THE CITY OF MOBILE FOR THE WIDENING OF ZTEGLER BLVD. FROM SCHILLINGER RD. TO CODY RD., PROJECT NO. STPMB-7550 (601) AND ORDERING THE PROJECT ATTORNEY, KENNETH A. WATSON, TO INSTITUTE PROCEEDINGS TO CONDEMN SUCH LANDS FOR SAID PUBLIC PURPOSES

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

WHEREAS, in the exercise, of its public and governmental functions as a municipality, the City of Mobile has determined that the acquisition of right of way for the widening of Ziegler Blvd. from Schillinger Rd. -to Cody Road, Project No. STPMB-7550 (601), across certain lands owned by those designated for the parcels listed herein and situated in Mobile County, Alabama, and more particularly described as set out in Exhibit "A" attached hereto and made a part hereof as if fully set out herein, to-wit:

TRACT: 4

OWNER: Arbors at Pierce Greek. LLC
P/R Mortgage & Investment Corp.
Mobile County, Alabama
Alabama Power Company
Board of Water and Sewer Commissioners
of the City of Mobile
Revenue Commissioner, Mobile County, Alabama

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Revenue Director - City of Mobile

which properties are shown on the right-of-way map for the widening of Ziegler Blvd. from Schillinger Rd. to Cody Rd., Project No. STPMB-7550 (601) and made apart hereof, are deemed necessary, expedient and in the public interest in order to promote the health and welfare of the citizens of the City of Mobile; and

WHEREAS, the City of Mobile has been unable to acquire such right of way by deed Specifically, because of the costs to be incurred by the owner, Arbors at Pierce Creek LLC, in obtaining approval from the U.S. Department of Housing and Urban Development for the partial release of the property being acquired from the HUD-insured mortgage on the entire property, said owner and its lender, P/R Mortgage & Investment Corp., have advised the City's project attorney, Kenneth A. Watson, that they wish for the City to effect this acquisition by condemnation action instead of by deed.

Accordingly, it appears that to acquire the right of way which is necessary for the widening of Ziegler Blvd. from Schillinger Rd. to Cody Rd., Project No. STPMB-7550 (601) across such real estate, and it is necessary to acquire such right of way by eminent domain, therefore,

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

It is hereby determined that it is necessary and expedient for public purpose to condemn said properties for said purposes, and

BE IT FURTHER RESOLVED that the project attorney, Kenneth Watson, is hereby ordered to promptly institute in the Probate Court of Mobile County, Alabama, the necessary eminent domain proceedings to condemn the herein described parcels of real property for the purposes hereinabove stated.

BE IT FINALLY RESOLVED that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest respectively, a condemnation petition to be prepared by the Project Attorney, Kenneth Watson, to condemn the above described parcels of land.

EXHIBIT "A"

Tract No. 4: A part of the SW 1/4 of SW 1/4, Section 7, Township 4-S, Range 2-W, identified as Tract No. 4 on Project No. STPWIB-7550(601) in Mobile County, Alabama and being more fully described as follows;

Parcel 1 of 1:

Commencing at a found 1/2" iron pin at the NW corner of Lot 8 of Ashford Acres Subdivision described in MB 23 PG 34; thence in a southerly direction and along the grantor's east property line a distance of 245 feet, more or less, to a point on the grantor's said property line (said point also on the acquired R/W line between a point that is offset 95.00' LT and perpendicular to the centerline of project at station 64+00.00 and a point that is offset 85.00' LT and perpendicular to the centerline of project at station 63+00.00), which is the point of BEGINNING; thence S 0°1'57" W and along the grantor's said property line a distance of 35'.88 feet to a point on the present north R/W line of Zeigler Blvd; thence N 89°49'5" W and along said present R/W line a distance of 210.47 feet to a point on the grantor's west property line; thence N 19°54'14" E and along the grantor's said property line a distance of 29.39 feet to a point on the acquired R/W line (said point between a point that is offset 85.00' LT and perpendicular to the centerline of project at station "57+50.00 and a point that is offset 85.00' LT and perpendicular to the centerline of project at station 63+00.00); thence N 89°58'10" E and along the acquired RA/V line a distance of 125.79 feet to a point on the acquired R/W line (said point offset 85.00' LT and perpendicular to centerline of project at station 63+00.00); thence N 84°15'32" E and along the acquired R/W line a distance of 75.07 feet to the point and place of BEGINNING, containing 0.14 acre(s) more or less and as

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shown on the right of way map of record in the State of Alabama Department of Transportation a copy of which is also deposited in the office of the Judge of Probate as an aid to persons and entities interested therein and as shown on the Property Sketch attached hereto and made a part hereof.

AUTHORIZE CONTRACT WITH E. CORNELL MALONE CORPORATION FOR FIRE STATION # 7-GUTTER REPLACEMENT, \$10,594.00 (FD-040-18). The following resolution was held over for one (1) week until the regular meeting of Tuesday, June 26, 2018.

RESOLUTION: 21-403-2018

Sponsored by: Councilmember Williams and Mayor Stimpson

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

Name of company: E. Cornell Malone Corporation

Project name: Fire Station #7- Gutter Replacement

Project number: FD-040-18

Amount: \$10,594.00

AUTHORIZE CONTRACT WITH AXON ENTERPRISE, INC. TO REPLACE AND RENEW NECESSARY BODY CAMERA EQUIPMENT FOR POLICE DAY-TO-DAY OPERATIONS, \$65,000.00. The following resolution was held over for one (1) week until the regular meeting of Tuesday, June 26, 2018.

RESOLUTION: 21-409-2018

Sponsored by: Councilmember Gregory and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor and 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 Axon Enterprise, Inc., in an amount not to exceed \$65,000, to commence upon the shipment date of the hardware covered under Taser 60, term will be renewable five years after shipment date, for the proposed equipment as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of the said contract is on file in the Office of the City Clerk.

ACCEPT WARRANTY DEED AND RIGHT OF ENTRY AS NEEDED FOR THE ZEIGLER BOULEVARD ADD LANES FROM SCHILLINGER ROAD TO CODY ROAD PROJECT. The following resolution was held over for one (1) week until the regular meeting of Tuesday, June 26, 2018.

RESOLUTION: 23-404-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby accepts the following documents, when prepared, as needed for the Zeigler Boulevard Add Lanes from Schillinger Road to Cody Road Project U STPMB-7550 (601) CPMS # 1000046893 (CR-565):

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1. Fee Simple Warranty Deed and Right of Entry from Bennie R. Goldman and Pamela D. Goldman.

SAID DOCUMENTS are by reference made a part of this resolution as fully as set forth herein and copies will be on file in the office of the City Clerk and in the office of the Real Estate Officer of the City of Mobile.

BE IT FURTHER RESOLVED THAT:

The Real Estate Officer of the City of Mobile is hereby authorized and directed to negotiate and to execute for and in the name and on behalf of the City of Mobile whatever supporting documents, affidavits, closing statements, Or other forms necessary to complete the transactions and pay the Grantors the amounts approved and authorized and pay all approved closing costs. All approved and funded by State of Alabama Department of Transportation.

AUTHORIZE THE MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE DHS FY 2018 PORT SECURITY GRANT PROGRAM, \$324,810.80 (MATCHING FUNDS-\$108,270.27). The following resolution was held over for one (1) week until the regular meeting of Tuesday, June 26, 2018.

RESOLUTION: 31-410-2018

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 from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD), a Notice of Award and Memorandum of Agreement for grant assistance in the approximate amount of \$433,081.07 for the Department of Homeland Security FY 2018 Port Security Grant Program.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the U. S. Department of Homeland Security and any other federal agency.

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

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

Nays: None

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

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO REZONE PROPERTY AT 451 AND 457 DAUPHIN ISLAND PARKWAY, 1965 AND 1967 ANTOINE STREET AND 1968 DUNCAN STREET (SOUTHEAST CORNER OF DAUPHIN ISLAND PARKWAY AND ANTOINE STREET, EXTENDING TO THE NORTH SIDE OF DUNCAN STREET, 150' ± EAST OF DAUPHIN ISLAND PARKWAY) FROM R-1, B-1 AND B-3 TO B-3 (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-406-2018

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish the attached proposed amendment to the Zoning Ordinance at least once a week for two consecutive weeks in a newspaper of general circulation within the municipality, together with the attached notice stating the

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time and place that said proposed amendment 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 such amendment.

NOTICE OF HEARING ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

Notice is hereby given that the City Council of Mobile proposes to consider the adoption of the attached amendment to the Ordinance adopted on the 16th day of May, 1967, and known as the "Zoning Ordinance." The adoption of such amendment will be considered by the City Council of Mobile in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama, on the 17th day of July, 2018, 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 amendment. Furthermore, the City Council, at this public hearing, may consider zoning classifications other than that sought by the applicant for this property.

This notice is published pursuant to a resolution of the City Council of Mobile adopted on the 19th day of June, 2018.

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

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

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as July 17, 2018.

ANNOUNCEMENTS:

Councilmembers Daves and Rich urged candidates to adhere to laws regarding political signs in rights-of-way.

Councilmember Rich encouraged citizens to attend one of the two remaining public forums this month that will help guide the Parks and Recreation System Improvement Plan.

Councilmember Gregory indicated that the Ravine Woods community will meet with the Mobile Police Department to discuss moving forward with Project Shield.

Councilmember Gregory thanked all of the volunteers for their time and efforts toward improvements at Langan Park.

Councilmember Gregory encouraged all to visit the Market in the Park at Lavretta Park from 3:00 – 6:00 p.m. on Thursdays, May 31 through July 31, 2018.

Councilmember Gregory provided an update on trash pick-up for district seven.

Councilmember Williams invited the public to attend the American Legion Baseball Tournament at Hank Aaron Stadium this weekend.

Councilmember Williams reported that he recently toured the downtown area and is encouraged by so many projects and new development.

Councilmember Small reminded residents to call Mobile 311 regarding overgrown lots.

Councilmember Small mentioned that a date for the district three Back to School Rally will be announced soon.

Councilmember Richardson announced that he, along with fellow Councilmembers Small and Manzie, will host a Public Works Job Fair on July 2, 2018, 6:00 p.m. -7:30 p.m., at the Dumas Wesley Community Center. Representatives from the Public Works

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Department and the Mobile County Personnel Board will be in attendance. Prospective employees will be able to learn about current positions, qualifications and begin the application process.

Councilmember Richardson stated that the Police Citizens' Community Relations Advisory Council will host a community meeting on June 21, 2018, 6:00 p.m., at the Dotch Community Center.

Councilmember Manzie expressed his support for public works employees. Mr. Manzie also stated that he will support a raise for the employees if it is placed on the Council's agenda.

Councilmember Manzie thanked the Special Events department for their assistance at two events this past weekend.

City Clerk Lisa Lambert introduced University of South Alabama student Savannah Long, who will be working as an intern for the Council.

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

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

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

Approved: July 3, 2018

COUNCIL VICE PRESIDENT

CITY CLERK